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THE NATION

OCTOBER 12, 1974 50 cents

Emergency Powers
TIME TO DISARM THE PRESIDENT
James A. Goodman

Nuclear Energy: It Costs Too Much
McKinley C. Olson

Vietnamese Students
WILL WE SHIP THEM BACK TO THIEU?
Ron Ridenour

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LETTERS

Rocky future

New York City

Early on, Nelson Rockefeller went bananas over fallout shelters and tried to require construction . . . that would have bankrupted property owners all over the state. His "edifice complex" has resulted in the billion-dollar-plus Albany Mall, a very costly monument to his memory, of insufficient utility to justify the many millions it will cost the state annually for generations. He tried to build a fourth jetport for the metropolitan area, first at Calverton, L.I., and then at Stewart Air Force Base, west of Newburgh, both more than 60 miles from the New York City line, with inadequate means of transport for freight and passengers to and from it. . . .

He failed to prevent Spiro Agnew from knifing his own appointee, Republican Sen. Charles Goodell, in 1970, permitting James Buckley to be elected to the Senate as a "Conservative" . . . and did not lift a finger to stop Buckley's being seated in the Senate as a Republican. . . .

Worst of all, Rocky went all the way with LBJ, to the bitter end with RMN, regarding our illegal intervention in Indochina, and is just as hawkish as Nixon, Ford, Kissinger, Schlesinger, Jackson and Wallace, favoring Mutual Atomic Deterrence (MAD) as the way to peace and security. . . .

The President was wise in choosing an ex-Governor as his nominee, in view of his lack of executive experience, but most unwise as to whom he chose. . . . What Congress should now do is not only say nix on Rocky but pass a Joint Resolution giving the President a short list of moderate Republicans as the only persons it will approve as Veep. . . .

My suggestions, in alphabetical order, are Edward Brooke, Clifford Case, John Gardner, Mark Hatfield, Walter Hickel, Charles Percy, Elliot Richardson, Francis Sargent and William Scranton.

Frederic C. Smedley

Arabs in Israel

Waverly, Mass.

Carl Cohen ["Democracy in Israel," *The Nation,* July 20] asserts that Israeli Arab citizens have "full civil rights—personal, political and economic." Yet the evidence is overwhelming that Israeli Arabs, both Christians and Moslems, are second-class citizens at best. For example, Sabri Jiryis, an Israeli Arab in exile, documents in *The Arabs in Israel* the systematic discrimination suffered by his people in the "personal, political and economic" spheres of Israeli life. This, of course, is to say nothing of the ultimate form of discrimination suffered by more than a million Palestinians. . . .

Cohen claims that Israeli Arabs have "their own political parties" and that their "elected representatives" represent "real participation" in Israeli society. Yet Israeli Palestinians have been denied the right to form any party which reflects their nationalist sentiments, thus leaving them with a choice between Zionist and Communist parties. Further, the existence of a few Palestinians in the Knesset no more reflects equal rights for them than has the existence for many years of a few blacks in Congress meant equal rights for blacks. . . .

Many Israeli Jews, including Jewish members of the Israeli League for Human and Civil Rights, have protested the persecution directed at Israeli Arabs. So have American Jews such as Noam Chomsky and I.F. Stone. Chomsky, for instance, has said that to the extent that Israel is a "Jewish" state, then to that extent "it is not democratic" and contends that the "legal structure of the state" is "inherently discriminatory." . . .

Edmund R. Hanauer, Executive Director
Search for Justice and Equality in Palestine

EDITORIALS

The Stagnant Economy

Massive inflation is an economic ill that destroys savings, shrinks pensions and pushes to the wall all those on fixed incomes. Its traditional remedies are high interest rates, "tight" money, increased taxes and reduced credit, on the theory that taking money out of circulation and thus making it scarcer will enhance its value once again.

Recession has generally the opposite effect, and the unemployed and marginally employed bear its principal burdens. The accepted treatment calls for low interest, easy credit, reduced taxes, deficit spending and the governmental creation of jobs. Since the symptoms are roughly the reverse of inflation, conventional wisdom is that the cure should also be opposite.

Today's economic woes embrace both sets of symptoms, and applying the standard treatment for one merely exacerbates the other. It is a brand new economic disease, which was promptly christened "stagflation"; but calling it names does not seem to have had much effect.

The Nixon administration's economists displayed from the start a bankruptcy of ideas; their "old time religion" consisted of treating the inflationary symptoms, and only those, in the traditional manner. Recession continued unchecked, and so did the inflation. Resort to so-called "fine tuning"—a euphemism for doing very little of anything—had predictably no effect. By the time Richard Nixon fled to San Clemente, it was clear that the new economic ailment was not going to respond to the old panaceas.

Gerald Ford, perhaps in realization of his and his staff's lack of expertise in economic matters, proceeded to summon a small army of economists and financial experts to an "economic summit" conference—preceded, of course, by a number of "mini-summits." The hope was wistfully expressed that some sort of "consensus" would emerge. No such luck; the doctors disagreed, as it was ordained they would.

The summit is over, and affairs are still in the hands of the same group of unsuccessful practitioners whom Ford inherited, along with the intractable ailment, from his predecessor. As matters continue to slide downhill, with each member of the crew seemingly frozen at his station, the only unequivocal statement of policy that has been forthcoming is that no radical measures are necessary and that the positive action of wage and price controls will not be taken in the near future.

There are suggestions here of panic bordering on catatonia; surely the continuing drift indicates even to the dullest mind that something new must be tried. Jawboning and coinage of new words are unavailing; words won't win this war. A good housecleaning is overdue; those whose prescriptions have been tried and failed, and who clearly have nothing new to offer, should be promptly jettisoned. Strong action is called for and it should include, at the minimum, immediate (if only temporary) mandatory price controls. Control too long delayed is bound to be fruitless, for when it can be anticipated it will surely be circumvented. As John Kenneth Galbraith

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recently said, he saw no great damage in fixing prices that were already fixed, and "Where the private power already exists to fix wages, the public power to do so must be asserted."

Kissinger Overreaching Himself

The Popper affair is the latest illustration of how our much-lauded Secretary of State (moonlighting as head of the National Security Council) is rapidly and deservedly getting himself into the national doghouse. According to an account by Seymour M. Hersh in the September 27th *New York Times*, supported by a mass of corroborative detail in other media, last July David H. Popper, American Ambassador to Chile, accompanied by Secretary of the Army Howard H. Callaway, was discussing further U.S. military aid with the Chilean Minister of Defense. Mr. Popper injected the question of "human rights," i.e., increasing world concern over the continuing mistreatment by the Chilean junta of political prisoners, numbering, according to Amnesty International, between 6,000 and 10,000, subject to beatings, electric shock and psychological torture.

Apparently Mr. Popper's chief reason for raising this issue was that the 1973 foreign aid bill called on the Nixon administration to request that the Chilean Government protect the human rights of individuals and institute humane treatment of political prisoners. This seems innocuous enough, but when Kissinger received a cablegram recounting Popper's role in the negotiations he flew into one of his frequent rages and scrawled on the cable, "Tell Popper to cut out the political science lectures." This insulting comment led to Popper's receiving what amounted to a formal letter of admonition.

Since Popper is a career diplomat, the gratuitous rebuke raised a storm among officials in the Bureau of Inter-American Affairs in the State Department. An Administration source told Hersh that Popper's procedure was perfectly in order. "You tell these guys," the source explained, "that if they want something—like more arms—they've got to behave. It's not only perfectly appropriate to raise the issue during meetings about other matters, but the legislation requires that you must keep the human rights issue right up in the junta's face. . . ."

Thus Kissinger has taken another step in squandering the good will which was his from 1969 on. Partly because of his highly publicized skill as a negotiator, partly because of his family's escape from Nazi Germany, he enjoyed a prolonged honeymoon with the press and Congress. Now he is a wide-open target for criticism, as previously he was the recipient of uncritical admiration. The transition is his own fault: even as the executor of American imperialist policy he could have been less high-handed. He has posed as a conciliator but his actions belie his words. As chairman and *de facto* boss of the 40 Committee he declared, "I don't see why we should stand by and watch a country go Communist due to the irresponsibility of its own people." Who appointed him the judge of responsibility or irresponsibility of Chileans, Vietnamese, Italians or any other nationals?

Castro's denunciation of U.S. policy in Chile, as pronounced by President Ford and executed by Secretary Kis-

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The Nation is published weekly (except biweekly in July and August) by the Nation Company and copyright 1974 in the U.S.A. by the Nation Associates, Inc., 333 Sixth Avenue, New York, N. Y. 10014. Tel: CH 2-8400. Second class postage paid at New York, N. Y.

Subscription Price: One year $15; two years, $27.50. Add $1 per year postage for Canada and Mexico; $2 other foreign.

Change of Address: It is essential that subscribers ordering a change of address give four weeks' notice and provide their old as well as their new address. Please give Zip Code numbers for both addresses.

Manuscripts. All work submitted will be read by the editors. The magazine cannot, however, be responsible for the return of unsolicited manuscripts unless they are accompanied by stamped, self-addressed envelopes.

Information to Libraries: The Nation is indexed in Readers' Guide to Periodical Literature, Book Review Digest, Book Review Index and the Public Affairs Information Service.

THE NATION

Volume 219
No. 11

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singer, is supported by undeniable facts. No informed person expects more than a modicum of morality in international relations, but Kissinger has carried inhumanity to the point where the gap between pretension and reality is so wide that it can no longer be bridged. He was Nixon's man; Ford, who gladly inherited him, may find himself heir to a political liability instead of an asset.

'Step Right Up'

Secretary of Agriculture Earl L. Butz is not a man to whom the country would instinctively turn for enlightenment or guidance in a season of travail. His customary posture is that of irrational optimism tinged with callous disregard for the suffering of those less well situated than himself. Secretary Butz's consistent advice to Americans who experience increasing difficulty in nourishing themselves is that they should tighten their belts.

But if he cannot advise us or assist us, Secretary Butz seems at least eager to entertain us. His department has completed plans for a tent show which, with prayers and song, will endeavor to convince the citizenry that food is both abundant and cheap, for which blessings they should thank God and the Department of Agriculture.

According to Steven Laine, a consultant to Butz who was recently made the department's publicity chief, "For maximum emotional impact, all audio will be musical rather than verbal, ranging from a hymn of thanksgiving as the Pilgrims bow heads over their first harvest to *America the Beautiful* as the best of this year's crop stands for harvest." Local clergymen will be invited to intone a prayer or two at each stop on the tour. The display in the tent is to cover the country's food and farm history from the first pumpkin to the latest soybean. The show should get on the road soon, says Laine, "to establish a better image for the department."

The notion of Secretary Butz as proprietor of a traveling tent show has provoked some sardonic comment in Washington. Rep. W.R. Poage of Texas, chairman of the House Agriculture Committee, said: "Well, it's not the kind of thing that would occur to me." Jim Hightower, director of the Agribusiness Accountability Project, was still sharper. He called it "the most ridiculous idea since Earl Butz was nominated [for the Cabinet]."

Bluff Is No Policy

The recent Ford-Kissinger bluster, aimed supposedly at the oil-producing countries, fooled no one. The least plausible part of it is the clearly implied threat of military action. That solution evaporated in 1956 when Anthony Eden launched a British-French-Israeli attack on Egypt. The operation was abruptly aborted by President Eisenhower, and today the Arab rulers are not apt to take seriously any talk of harebrained military ventures in the Middle East.

Nevertheless, however implausible, the implied threat had a calculated purpose. Probably it was conceived by Secretary of State Kissinger to impress on the Arabs that the oil-consuming nations viewed the situation with the utmost seriousness and might in concert take measures, other than military, to bring the oil producers to heel. Unfortunately, joint economic action is almost as unlikely as joint military action.

It was also intended to give the impression of American leadership, and perhaps to dispel the notion that Gerald Ford is too good-natured to be a "strong" President. Not that he, or Mr. Kissinger, wants to go too far in that direction, but one reason why Nixon was re-elected by a landslide was precisely that the American people thought McGovern, running on a platform of morality, gave an impression of weakness. Looking ahead to 1976, Mr. Ford must do a balancing act.

And the chances are that he will continue to balance, for the distress over the oil situation is not necessarily as unanimous as the public hand-wringing might lead one to believe. Last year's panic over energy shortages, however induced, left a residual public uneasiness that has made easier an unconscionable rise in domestic gasoline and fuel oil prices. The oil companies, while expressing indignation at the cold-blooded greed of the Arabs, are enjoying profits unprecedented even in their notoriously profitable industry. And the consumers meekly pay whatever is demanded. What else can they do? For many people, the automobile is a necessity (to get to work, for example) and domestic oil-burning furnaces, except in rare cases, cannot be converted to other fuel.

So the oil cartels, foreign and domestic, have the consumer over a barrel, and there is every reason to suppose they are happy with matters as they are, and have no intention of permitting fuel prices to drop substantially. Thus, the oil sheiks are content, the oil companies are content and the gasoline and fuel distributors are incidental beneficiaries: their profit margins have increased on a dollar basis.

The Ford Administration cannot be quite so happy because, however important petroleum may be to the political way of life, the economy is being bled white, and that too is important to politicians. But if the military threat is an empty one, so are all the other measures the Ford Administration has proposed. The President invoked the Golden Rule: "We can help ourselves only as we are considerate and helpful to others." However loving thy neighbor is not a pursuit much favored in American business, nor is it likely to be effective in international relations, when the whole world is thirsting for oil. The producers know this, and do not feel guilty about throwing their weight around. They are merely behaving like good monopoly capitalists.

"Our policy is an empty box," laments a U.S. official. That seems to be so, and the reason is that there has thus far been a reluctance to get the facts out into the open where they might provide a base for a policy. Certainly the United States is an energy hog, and by persuasion or coercion could cut its use by 10 per cent, perhaps more. But that sort of restraint, while useful, does not constitute a policy, nor does a Project Independence that is a decade or more from realization. What is needed immediately is an answer to basic questions: What is the actual role of the multinational oil companies in back-room negotiations between the producing countries and the consuming countries? Isn't conflict of interest inherent when international cartels, and American companies as well, act as

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co-representatives of U.S. interests abroad? We know who is paying most for the grotesque hike in world oil prices—the poor countries and the poor individuals are paying most—but how are the profits being divided up?

When some of these facts are out in the open, public policy, backed by public opinion, can begin to make sense. The oil producers are not proving amiable, and big countries are having to swallow their anger when little countries laugh at them. But if the whole truth were known, the anger might be more broadly distributed. It is a test for President Ford, and for other leaders of the highly developed, oil-hungry nations.

The Education of Earl Warren

Carey McWilliams

When Earl Warren died on July 9, on the eve of a committee vote to impeach the President, the nation's editorial writers sprang to their typewriters to offer fervent praise of the former Chief Justice for possessing in abundance precisely those qualities which Nixon so conspicuously lacked—integrity, honesty, a deep sense that public office is a public trust. The impulse was understandable, but in its eagerness to praise Warren the press largely ignored the fascinating evolution of his political career. The question, which can be discussed more appropriately now than it could at the time of his death, is this: what prompted the remarkable change in Warren's political views and values after he became Chief Justice?

Three distinct phases marked Warren's career: Deputy, then District Attorney, of Alameda County and Attorney General (1920 to 1942); Governor of California (1942 to 1953); and Chief Justice (1953 to 1969).

There was no hint of greatness in the first phase of his career. He was an honest, diligent, tough-minded law-enforcement official; nothing more. Politically he was aligned with the right wing of the Republican Party. He is said to have admired Hiram Johnson; if so, he kept his admiration under wraps, for Johnson's old enemies were his chief sponsors.

A few key issues suggest the kind of politician Warren was during phase one. As District Attorney, he was responsible for the prosecution of King, Ramsay and Connor —the so-called Ship Murder case—in 1936. Whether the case was or was not a labor frame-up is less important than the fact that the trial was a scandal. Jurors were drawn from lists submitted by large banking and industrial corporations; more to the point, the deputy in charge of the case had borrowed large sums of money from a woman who served as a juror—a fact not known to the defense at the trial. Warren probably did not know about it either at the time, but later, when the connection was made public, he still upheld the verdict. Still later, when Gov. Culbert L. Olson's Board of Prison Terms and Paroles released King, Ramsay and Connor in December 1941, Warren denounced the action as "an outrage to public decency." During the long years of investigations, hearings and agitation that finally culminated in Governor Olson's issuance of a pardon to Tom Mooney on January 7, 1939, Warren consistently opposed the pardon. Olson could not pardon Warren Billings, Mooney's co-defendant, because of a prior conviction. So Billings had to serve an additional ten months in prison after Mooney was freed because the State Advisory Pardon Board voted 3 to 2 against commutation. Warren, an ex-officio member as Attorney General, cast the deciding vote.

California has today what is acknowledged to be one of the ablest Supreme Courts of any state, but the remaking of the court was a slow process set in motion by Governor Olson. One of his fine nominees was Dr. Max Radin, long a member of the faculty of the Law School of the University of California. Of this nominee the Republican *San Francisco Chronicle* commented: "A distinguished liberal . . . [with] a high degree of judicial temperament and a passion for justice . . . [who] should be confirmed with no more of the scurrilous attack that arises from inability to distinguish between liberal faith and subversive character." But the Judicial Qualifications Commission, of which Warren was an ex-officio member, voted 2 to 1 against confirmation and Olson was forced to withdraw the nomination. The deciding vote was cast by Warren.

When the La Follette committee conducted its famous inquiry into farm labor conditions and violations of civil liberties in California in 1939, it would be charitable understatement to say that Warren, as Attorney General, was uncooperative. In those years no public official was more highly regarded by the Associated Farmers of California.

In the wake of Pearl Harbor, Warren was perhaps the most influential advocate of mass evacuation of all persons of Japanese descent, citizens and aliens alike, from the three West Coast states. More important than the position he took were the reasons he cited for taking it. His statements showed unmistakable racial bias and a remarkable misunderstanding of the social and historical background. Once the Japanese were removed, Warren, by then Governor, opposed the federal government's suggestion in 1943 that they be permitted to return. "If the Japs are released," he said, "no one will be able to tell a saboteur from any other Jap. . . . We don't want to have a second Pearl Harbor in California." Once the ban was lifted, however, he followed the strong lead of Democratic Atty. Gen. Robert W. Kenny—now a Superior Court Judge in Los Angeles—and took a firm stand for protection of their personal and property rights.

Other issues—many in fact—might be cited to establish the point that nothing in the first phase of Warren's career foreshadowed his performance as Chief Justice. Before 1942, when he was first elected Governor, Warren's image had been that of Mr. District Attorney: grim, humorless, prudish. But under the talented direction of Clem Whitaker and Leone Baxter, California's famous "campaign management" team, a different image began to emerge—that of a smiling, warm, friendly man with a charming wife and a bevy of attractive children who, for some in-

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explicable reason, had been kept in the background. As Governor, Warren began to exhibit a few signs of having opted for the Hiram Johnson "progressive" stance, but it was good politics for him to pose as "independent" and "nonpartisan" because Democratic and "decline-to-state" registrations in the state well exceeded the Republican. He expressed an interest in health insurance, spoke about the need to regulate lobbyists and opposed, as ex-officio member of the Board of Regents, the loyalty oath imposed on the University of California faculty (he favored a similar oath for all state employees). The loyalty oath fight taught him something. He was unmercifully attacked by right-wing elements and he was—despite a widespread impression to the contrary—a good hater who never forgave those who opposed him. So while it can be said that Warren tilted slightly to the liberal side during phase two, there were still no signs of the transformation to come.

The late Arthur H. Samish, for years the undisputed boss of the California legislature, offers this comment on Warren as Governor in his engaging autobiography: "Warren had it easy during the war years. California was booming with war plants, military bases, and the Governor could play the hero by reducing taxes and still run a surplus." As Governor, Warren was beset by few of the searing problems that had plagued Olson or that were to plague his successor, Edmund G. ("Pat") Brown, who had to cope with the accumulated social costs of the boom years. Nor was there any hint of change in anything Warren said or did as Republican Vice Presidential nominee in 1948. Like most Republican nominees that year, he charged the Democrats with being "soft on communism," but did so in the rather mild and gentlemanly style that Dewey preferred.

Against this background, how is the extraordinary performance of Warren as Chief Justice to be explained? Without prior judicial experience, he became Chief Justice at almost the precise moment when the major issues of the postwar period began to reach the Court. And his period of initiation was brief indeed. For example, he was appointed Chief Justice on October 5, 1953, and eight months later he wrote the Court's opinion in *Brown* v. *Board of Education.*

Warren once said that the change from Governor to Chief Justice was a "traumatic thing" and added: "But change you must if you are to do your duty on the Supreme Court." And change he did. With politicians, perspective closely correlates with position, and Warren was, above all, the consummate politician. His entire adult life, with the exception of a few years after leaving law school, had been spent in public office. Judged by the record, Warren was a conservative Republican—he served as state chairman and national committeeman—until he became Governor. Once in Sacramento, a way station on the road to high national office, he adopted a "nonpartisan" stance and made a few cautious moves to the liberal side. This is not to imply that he was insincere, then or later, but it does suggest that he was primarily concerned with political self-preservation until he got where he wanted to be.

Once he became Chief Justice it could be said that he finally felt free of political inhibitions, but at best this provides only a partial explanation. Instead of inhibitions, he now faced a new political challenge. The great Chief Justices, and Warren was one, have usually had a canny political sense; witness the performance of Charles Evans Hughes. Under Warren, the Court had to face an accumulation of pressing social issues, some of which had acquired a special urgency because they had been neglected during the World War II and cold-war years. He became Chief Justice at a critical moment in the history of the Court, when the outlook for civil liberties and civil rights was bleak. Vacancies on the high bench had given President Truman a chance to fashion the disastrous "Truman Court" with the appointments of Vinson, Burton, Clark and Minton. Under Warren's strong, tactful and politically astute leadership, the dangerous course of the Truman Court was reversed. With the close of the third term under Warren as Chief Justice, it had become apparent, as C. Herman Pritchett pointed out, that the Court had turned one of its historic corners.

Warren's career thus stands as a monument to the proposition that politicians have been known to grow in moral insight and social understanding to the point where they will respond, in a responsible manner, to the challenge of new issues and changing times, even if the times change faster than their personal convictions. Warren learned from experience; he had been changing even when he did not appear to change. He listened, and learned, from Democratic rivals whom he liked and respected, such as Robert W. Kenny, who, as state Senator and Attorney General (1942-46) took stands on controversial civil liberties and civil rights issues that Warren was to espouse as Chief Justice after 1953. "Pat" Brown, who became Attorney General in Warren's second term, was another Democratic politician whom the Governor liked and often consulted and from whom he learned more than he ever acknowledged.

The truth about Warren is, as Alan Barth has written, that "he grew prodigiously." It should be emphasized that he was the product of a special political subculture: nativism, California-style. Until late middle age he was active in the Native Sons of the Golden West, an organization whose members could not bring themselves to admit that a Japanese born in California was also a native son. "Anti-Orientalism," deep-seated and virulent, was one of the major components of the Native Son ideology. The other was that, as a kind of legacy from their pioneer parents and grandparents, native white Californians were entitled to preferment for public office, elective and appointive, over the latter-day immigrants, including Okies and Arkies, who were flooding into the state in quest of the good life, and bringing with them all manner of tramontane ideas that threatened turmoil in paradise. Warren outgrew this narrow outlook eventually, not by study and reading—he was too much the activist for that—but by observation and experience and a growing awareness that the new arrivals far outnumbered the native sons and daughters. Although he never publicly apologized for his role in the World War II internment of Japanese-Americans, he is said to have expressed deep regrets in his autobiography which Doubleday and Co. will publish next year. This volume should afford new insights on the political education of a most remarkable American politician who grew to greatness.

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AID FOR HAITI

RETURN TO A DISASTER

STANLEY MEISLER

American foreign aid is returning to the scene of one of its greatest disasters—Haiti. In 1963, the Agency for International Development (AID) closed its mission in Port-au-Prince and suspended most American aid there. The U.S. Government was at last fed up with the corruption, repression and harassment of the strange and tyrannical regime of the late President François Duvalier, better known as Papa Doc.

Papa Doc died three years ago, and Haiti is now ruled by his 22-year-old son, Jean-Claude Duvalier, who, like his father, bears the title of President-for-Life. Last year, AID sent a chief of mission down to Haiti for the first time in a decade. Plans have been made, and agreements have been signed. Now Haiti will have an American aid program about as large as it used to be before the United States gave up on Papa Doc.

U.S. officials have persuaded themselves that the regime of the son will be easier to work with than that of his father. They believe it is less corrupt and tyrannical and more efficient. Some even insist that Papa Doc's rule wasn't as bad as painted by Graham Greene, the movies and the American press. In any case, they say, something must be done to help the people of Haiti, who are among the poorest in the world.

There is some truth in some of what they say. The terror of Papa Doc and his Tontons Macoutes is gone. But what his son presides over is hardly a model or even rational government. No outsider is even sure that he, rather than his mother or sister or friends or army officers, really rules. Moreover, there is no sign that he is any more solicitous for the Haitian masses than was his father. More than fifteen years ago, when François Duvalier first came to power, American officials blinded themselves to what he was and rushed to support him, simply because he was not a Fidel Castro. Now, they are deluding themselves about his son and rushing to the young man's side simply because he is not a Papa Doc.

Attracted by cheap labor, American businessmen have also come to Haiti. They have set up almost 200 small plants that assemble exports to the United States from materials that come originally from the United States. Baseballs are the most famous product. Hundreds of Haitian girls stitch together baseballs from American cowhide and Puerto Rican cores. "Haiti," says William Johns, general manager of Tomar Industries, one of the baseball plants, "is the world center of baseball, and no one plays it here." Tomar pays the girls 38¢ for every dozen baseballs sewn; on the average, that works out to $1.33 to $1.52 a day.

There is no doubt that Haiti needs outside investment and foreign aid. The only question is whether the government of Jean-Claude Duvalier cares enough about ts people to make the aid and investment count. Haiti is the poorest country in the Western Hemisphere and one of the poorest in the world. It is a country of 4.5 million people, mostly peasants, on a third of the island of Hispaniola in the Caribbean. The gross domestic product of the country averaged out to $87 a person in 1972.

Before its independence in 1804, Haiti was the richest French colony in the world. The exports from its plantations in 1789, the year of the French Revolution, were almost double the value of Haiti's exports now. Today, its economy is stagnant. According to the latest figures from the Inter-American Development Bank, its gross domestic product declined at a rate of 0.2 per cent a year from 1960 to 1971, during the reign of Papa Doc.

In a country where 80 per cent of the population is rural, agricultural production has been in decline. According to the latest statistics, exports of coffee, Haiti's main source of foreign exchange, dropped in 1970. Farmers are hampered by lack of roads, great erosion of Haiti, the minuscule size of farms, and their own illiteracy. On top of this, the government has slapped an export tax on coffee that discourages producers.

At least on paper, the American aid program is designed to meet these obvious needs. In the major aid contract so far, the United States is loaning Haiti $3 million and granting it $500,000 a year to help maintain roads. At the same time, the Inter-American Development Bank is loaning Haiti $22.2 million to help build a 97-mile southern highway and the World Bank is planning to loan about $10 million to help build a northern highway. The U.S. Government contributes a good deal of the funding of both banks.

According to AID officials, the United States also is close to signing an agreement to loan Haiti $6 million to stimulate coffee production. Several other new programs are under discussion, including a Peace Corps program, military training for search and sea rescue operations, help in family planning, and pilot agricultural schemes. On top of this, the United States will continue several programs that, for humanitarian reasons, were never halted under Papa Doc. In the current fiscal year, these included $1.2 million for disease control and eradication, a $500,000 community development program administered by CARE, $50,000 for small self-help projects, and $1.8 million worth of surplus foods under the Food for Peace Program.

In the old days, aid to Haiti was always the subject of sharp debate in Washington. Some policy makers believed that the United States should have nothing to do with Duvalier's repressive dictatorship. But others felt that, bad as he was, Duvalier was still the only alternative to communism in Haiti. At that time, Washington greatly feared the exportation of communism from Cuba.

In the end, Duvalier himself made the aid program al-

Stanley Meisler, a correspondent of the Los Angeles Times, *is now stationed in Mexico.*

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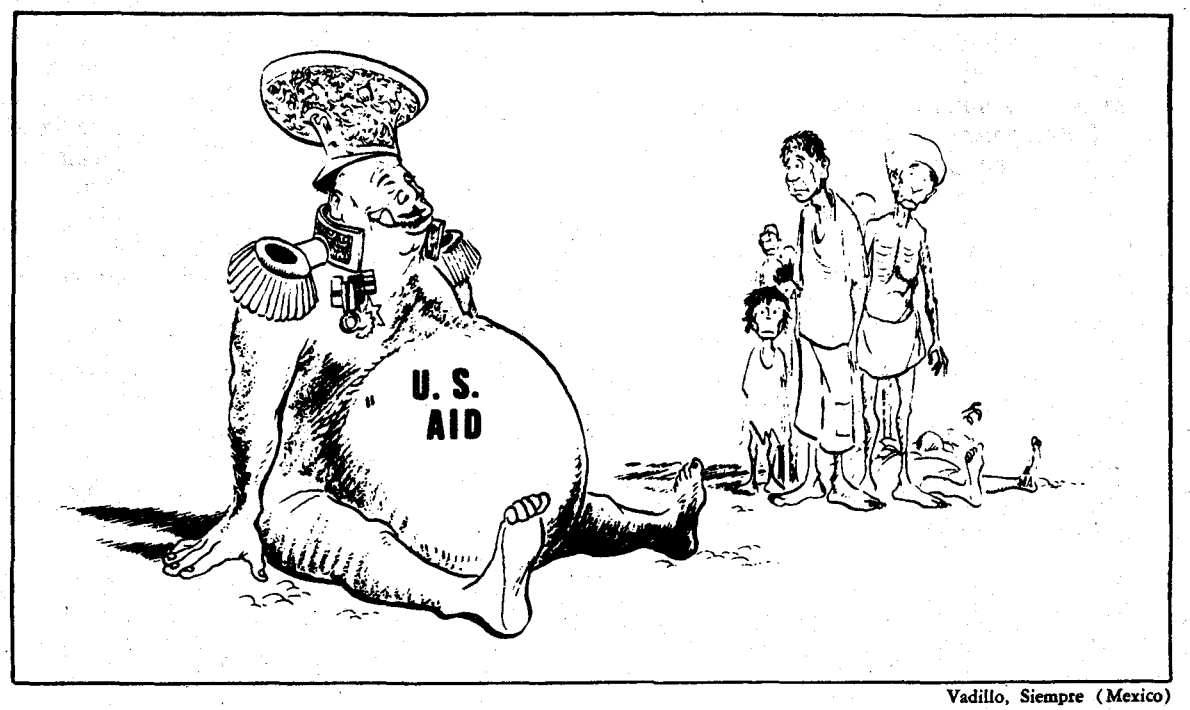

Vadillo, Siempre (Mexico)

most impossible. He wanted money, not programs and technicians. And the United States gave him a good deal, shoring up his budget with $7 million cash in 1960 and $6 million in 1961. But U.S. officials also wanted projects that would help the Haitians and not just fill the pockets of the President and his cronies. These projects, however, became more and more frustrating. The corruption and the Haitian Government's lack of concern for the peasants were so pervasive in those days that doctors for the private American organization, Medico, refused to turn over food to orphanage directors, for fear they would sell it and let the children go hungry.

By 1963, the excesses, especially the torture and murder of Haitians by the Tontons Macoutes, had reached a point where aid was hard to justify even in the name of anti-communism. AID pulled out that year, though the United States continued the few humanitarian programs.

In their discussions now with an American newsman, officials of the U.S. Embassy at Port-au-Prince and of AID express a good deal of optimism about the resumption of aid. They insist that the pitfalls of the past can be avoided. In their view, the new regime is genuinely concerned about the plight of the masses of peasants. In addition, U.S. officials insist there are safeguards now to prevent a recurrence of the old embarrassments.

But the optimism does not seem supported by a close examination of the plans and of some of the American projects already under way. Several American organizations, including Church World Services, have been in charge of the distribution of American surplus foods under the Food for Peace Program. The organizations usually encourage small projects in the rural interior of Haiti by using the food to pay workers. In the last fiscal year, for example, Church World Services distributed 643,865 pounds of food in exchange for labor.

A tour of some of these projects can be encouraging. Church World Services, using the surplus food, has stimulated communities to build roads, irrigation systems, dikes, nutrition centers and terracing systems to prevent erosion. The terracing, in fact, has been so successful that some communities have continued it even after the American organization has stopped paying workers with food.

But there is one great lack in the program: there is little evidence that the Haitian Government is involved in the program. According to a Church World Services worker, almost all Haitian officials assigned to the program are paid by the American organization, not by the Haitian Government. In some cases, the salaries are supposed to be paid jointly by Haiti and Church World Services, but, according to the American, the Haitian share of the salary never seems to show up.

For one project the Haitian Government did assign an engineer who was paid by the Ministry of Agriculture, but according to the American who worked with him, "he never did any work. All he cared about was visiting his girl friends in the area. We finally had to ask for his removal." After much persuasion, the Haitian Government has agreed to pay some of the transport costs for Church World Services but, according to the American this amounts to a token payment of $1,000 a month.

In short, for all practical purposes, this Food for Peace Program is a self-contained project of the Church World Services, a situation that contradicts most theories about foreign aid. The consensus seems to be that foreign aid shows meager results unless the country receiving it contributes a good deal itself. Otherwise, foreign aid becomes a form of charity, not development.

The elaborate plans for road improvement show the same kind of lack. In a well-ordered road-building program, a foreign agency like AID or the World Bank usually lends money if the country shows that it can and will maintain the roads. Haiti's record of road maintenance during the Duvalier dynasty was woeful. All roads have deteriorated. The government did have a road maintenance department but, according to an American

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official, "they left people on the payroll but no money to do anything. It was awfully close to no road maintenance."

The foreign aid agencies are trying to surmount this sort of problem now by doing everything for Haiti. The Inter-American Development Bank and the World Bank are not loaning money for roads on the assumption that Haiti will maintain them; they are doing it on the assumption that the U.S. Agency for International Development will maintain them. Haiti's contribution on road maintenance is a pledge to spend $750,000 from its budget to augment the AID project. Presumably, if Haiti reneged on its pledge, the aid agencies could then halt their disbursement of funds for the roads. That is one of the safeguards, but it would be a very difficult and delicate decision to make.

An outsider might have more faith in the ability of American officials to make hard choices if he did not see Habitation Le Clerc, Haiti's newest hotel, which was built by Americans with help of a loan from the Overseas Private Investment Corporation (OPIC), a U.S. Government agency. It is one of the world's most opulent hotels. Its owners, who describe their hotel as elegant, exotic, erotic, lascivious and decadent, charge $150 a day, almost four times what a Haitian peasant earns in a year. [See "Underwriting the Multinationals: Socialism for the Rich" by Rep. Les Aspin, *The Nation*, September 14.]

The loan was not part of the AID program. OPIC, authorized by Congress in 1969, is an independent agency within the executive branch. It is run by an eleven-man board of directors, six from private business, five from the federal government. One of its major goals is to encourage American private investments that make "substantial, long-term contributions to developing nations"—like Haiti. It insures investors against the risks of expropriation and revolutionary war damage. It also can make loans to private businessmen planning to invest in these poor countries. All this is financed by Congressional appropriations.

In the case of Habitation Le Clerc, the board of directors approved the loan of $415,000 at 12 per cent interest on April 24, 1972. This represented 24 per cent of the project's total investment of $1.7 million. Once the hotel opened, the publicity about its opulence in the midst of some of the world's worst poverty troubled many people interested in Haiti. At the request of Rep. Les Aspin (D., Wis.), the office of Elmer B. Staats, Comptroller General of the United States, investigated the loan.

Staats concluded that "OPIC properly approved the project under its rules, did not violate its authority, and did not misuse appropriated funds." But Staats, the accounting overseer for Congress, is more concerned with ledger books than with policy. An important U.S. Embassy official in Port-au-Prince shook his head over the loan and told me recently, "To emphasize luxurious decadence in this country is bad taste." He said that if the loan had been his responsibility, it would not have been made. Many U.S. officials in Haiti make it clear to a visitor that the loan came from OPIC, not from the Agency for International Development.

But the State Department cannot escape blame so easily. Although an independent agency, OPIC is supposed to operate under the policy guidance of the department. Staats, in his report to Representative Aspin, said that "the U.S. Embassy in Port-au-Prince approved the project as being consistent with local economic and social development priorities." Officials at the Embassy now are vague about this, but admit that OPIC probably did consult with them. It is likely that Embassy officials, euphoric because American aid and investment were returning to Haiti, did not examine the hotel project very carefully.

That, of course, is the point. It seems clear that the United States is resuming a large foreign aid program to Haiti with little evidence that either the Haitian Government is ready to help itself or that U.S. officials are ready to make the kind of close analysis and hard decisions that are necessary for a rational foreign aid program in that sadly deprived land. □

EMERGENCY POWERS

TIME TO DISARM THE PRESIDENT

JAMES A. GOODMAN

> Emergency powers . . . embrace every aspect of American life. Under the powers delegated by these statutes, the President may seize properties, mobilize production, seize commodities, institute martial law, seize control of all transportation and communications, regulate private capital, restrict travel, and—in a host of particular and peculiar ways—control the activities of all American citizens.
>
> *Sen. Frank Church, opening statement to the hearings of the Senate Special Committee on the Termination of the National Emergency, April 11, 1973*

The potential for a dictatorship of the Executive predates Richard Nixon; it is the product of forty-one years of "national emergency," during which time the President has amassed enough power in the name of "national security" to make any dictator envious. The last four decades of crisis politics have armed the Presidency with the ability lawfully to make the country a totalitarian state.

In January 1973, a Senate resolution created the Special Committee on the Termination of the National Emergency. At the time, it was believed that only the 1950 Korean state of emergency was in effect and little

James Goodman is a free-lance writer whose articles have appeared recently in Commonweal, The New Republic *and* The Milwaukee Journal.

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was known about the legal implications involved. One and a half years and five volumes of committee hearings and research later, we learn that we have been in a continual state of national emergency since 1933. In fact, we are now in four concurrent states of emergency—1933, 1950, 1970 and 1971—with each promulgation the consequence of an arbitrary decision by the Chief Executive and all four states of emergency lacking a date of termination. Moreover, the committee staff, with the aid of computers, has located more than 470 significant statutes in the U.S. Code that surrender special powers to the President upon any emergency declaration.

The vast majority of these 470-odd special powers, although triggered by these states of emergency, have yet to be used, but a number have become an integral part of the Presidency. A favorite among Presidents is the 1917 Trading with the Enemy Act (one of two emergency acts not repealed after World War I), which gives the President broad controls over what is traded to whom in times of war or national emergency. Roosevelt's 1933 emergency proclamation reactivated this wartime statute, and succeeding Presidents have frequently relied on the special powers.

Another example of the routinization of emergency statutes is 10 U.S.C. 712, which "during war or national emergency" permits the President to send military personnel wherever "he considers it advisable to assist in the interest of national defense." The Defense Department, in response to a Special Committee query, stated that the application of this sweeping statute has been restricted to Latin America and limited to noncombatant advisers.

One of the most infamous interpretations of emergency powers has been that of the "Feed and Forage" Act of 1861. Originally designed to feed horses on the Western front during the Civil War, this Act has seen action during both the Berlin Airlift and the war in Indochina. Senator Church notes: this "law permits the Defense Department to make certain contracts and purchases in advance of Congressional authorization or appropriation." Church also tells how in 1972 "Defense Secretary Melvin Laird said that this Civil War statute could be used to assure the expenditure of funds in Indochina for use by U.S. forces despite Congressional prohibitions." Similarly, the Korean emergency has served as a rationale for such diverse executive actions as a 1958 Executive Order (#10789) authorizing special government contracting arrangements for national defense and a 1961 Executive Order (#10976) suspending the eight-hour day in the National Aeronautics and Space Administration.

While formally issued "Executive Orders" and "Presidential Proclamations" are published in the *Federal Register*, the Special Committee's just released study, "Executive Orders in Times of War and National Emergency," finds that the "decision whether to publish an executive decision is clearly a result of the President's own discretion rather than any prescription of law." Furthermore, Kennedy's and Johnson's National Security Action Memorandums and Nixon's National Security Action Directives circumvent the Federal Register Act (1935), which has no provision for handling such instructions. As the Special Committee's study concludes, "There is no formal accountability for the most crucial executive decisions affecting the lives of citizens and the freedom of individuals and institutions."

One need only be reminded of the 1969-70 secret bombing of Cambodia. An exchange of classified memos between Laird and Earle Wheeler, chairman of the Joint Chiefs of Staff, unleashed our bombers, although Nixon was later to take responsibility for this executive decision. And Nixon, in his April 30, 1970 formal announcement of the invasion of Cambodia, told the American public that American policy "has been to scrupulously respect the neutrality of the Cambodian people." Beginning with Korea, any formal declaration of war has become obsolete.

Although the Steel Seizure case of 1952 is a famous example of the courts preventing executive excess, far too often executive actions go unchallenged. The Special Committee observes that "the courts have in the past been reluctant to intervene and determine what Congress did intend and to what extent the Executive had deviated from that intent." In addition, the committee chides Congress for its failure to enact "laws which would prevent the Executive from using classification to withhold information from Congress and the public."

Public acquiescence to "national emergency" as a fact of everyday life has only encouraged executive unaccountability. Despite the continued increase of executive decision making, the annual number of formal Presidential dictates has shrunk from several hundred to a scant seventy, and the Special Committee has found a number of Executive Orders whose authority is no more specific than a vague reference to "the statutes."

Misuse of executive fiats has seriously abridged our civil liberties. Frank Donner in "Hoover's Legacy" (*The Nation*, June 1) has traced the roots of the FBI's domestic intelligence network to a misapplication of Roosevelt's September 6, 1939 Presidential directive concerning war-related intelligence. Without any statutory authority, the FBI justifies its authority for domestic surveillance by an out-of-context interpretation of a number of executive directives issued in times of national stress.

Plans for emergency government also jeopardize civil liberties. Executive Orders, outlining the basic structure of a crisis government, are to be supplemented by detailed regulations from all executive departments and agencies. These regulations are to be published by the Office of the Federal Register as the "Code of Emergency Federal Regulations" (CEFR). However, the Departments of Defense, State, Justice, Commerce and the office of the President are among those that have never submitted emergency regulations for the CEFR. In addition, the Senate Special Committee discovered regulations that call for the censorship of international mail pursuant to an Executive Order. But neither the Post Office's regulations nor its executive directive cite any statutory authority for such censorship. The Special Committee concludes: "Although the censorship is presumably designed for use only during wartime, it is on its face designed for any emergency declared by the President and might indeed be thereby activated."

Whereas there are no set criteria for a declaration of

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national emergency, the histories of the four active states of emergency share a common purpose—an attempt by the President to consolidate popular support in a potentially divisive situation. Former Solicitor General Erwin Griswold testified before the Special Committee about the political climate surrounding Roosevelt's March 1933 proclamation:

> My recollection of the situation in March 1933 was that President Roosevelt's declaration of an emergency was primarily for psychological effect for the public, to galvanize the public, to make the people feel there were people in Washington who cared and were doing things to change the public morale. It was then followed by a succession of statutes which were proposed from the White House, and which, for the most part, Congress quickly enacted.

Roosevelt's economic package was jammed through Congress with only eight hours of debate and a sole copy of the bill on the floor.

Truman's 1950 emergency proclamation is of an even more questionable nature—especially if one considers that we were still technically in a state of war, six months of fighting had already passed, and Truman's decision came only when his thrust into North Korea was turned back. Consider the testimony of Dr. Adrian Fisher, legal adviser to the State Department at the time:

> Again, I would like to reiterate that the December 16, 1950 proclamation really wasn't intended for the purpose of establishing legislative authority. They had gone through the hostility up until the rebuffs in December, or late November 1950, without it . . . this was almost a fly-the-flag sort of proclamation.

The language of Truman's 1950 declaration ("world conquest by the Communist imperialism is the goal of the forces of aggression that have been loosed upon the world") smacks of the Truman Doctrine, aimed at solidifying what Richard M. Freeland in his study *The Truman Doctrine and the Origins of McCarthyism* called the "Cold War consensus."

President Nixon's two declarations of national emergency—that of March 23, 1970 in response to the postal strike, and his August 15, 1971 statement in the face of the country's worsening economic condition, particularly in the area of international finance, have broadened the scope of national emergency to include any situation that a President deems troublesome. Surely, a postal strike will not unleash Moscow's missiles upon us. And Nixon's imposition of a 10 per cent surcharge on imports, pursuant to his August 15th declaration, was recently invalidated by a United States Customs Court. The three-judge court agreed that "neither need nor national emergency will justify the exercise of a power by the Executive not inherent in his office nor delegated by Congress." Such unwarranted acts pose "the deadliest of blows to our Constitution." Mr. Nixon was also derelict in failing to hold consultations with the Justice Department prior to this latest state of emergency.

Nonetheless, these four self-serving, rather nebulous states of emergency have set in motion statutes whose impact goes far beyond the realm of psychological uplift. Already, selected emergency powers have been integrated into the normal functionings of the Presidency, and the climate created by the public acceptance of this crisis mentality has opened the door for a proliferation of executive fiats of which the most important are classified from public scrutiny.

While the events of Vietnam and Watergate have begun to de-mystify the Presidency by revealing a large gap between what we are told and what are the facts, the institution of the Presidency still has the legal power to create the American equivalent of a totalitarian state. The Senate Special Committee has been considering a number of proposals which, at a minimum, should cancel the existing states of emergency and create a more responsive mode of "emergency" operation. The implementation of any such proposal is but a small step on a long road toward disarming the Presidency. □

Nuclear Energy: It Costs Too Much

McKINLEY C. OLSON

Chicago

The big story today in the ongoing controversy over nuclear power is money. Skyrocketing and perhaps prohibitive costs may eventually cripple the attempt to raise the nation's dependency upon atomic energy. Meanwhile, it is apparent, electric ratepayers and perhaps the American taxpayer will be called upon to subsidize the country's multibillion-dollar nuclear experiment.

This emerging trend, reported with increasing urgency from one end of the country to the other, erupted last month during four days of hearings in the Midwest. The Federal Energy Administration (FEA) has been sponsoring these hearings around the country under the grand title, Project Independence. The idea, dear to ex-President Nixon, is to make the United States self-sufficient in energy by 1980.

Although a great many topics were on the agenda for the four-day affair, including the conservation of energy and exploring new or untapped sources of power, it was apparent from the start that nuclear power—which now supplies 4 per cent of the nation's electricity, with its advocates hoping to increase this output to 60 per cent or more by the year 2000—would dominate the proceedings at Chicago's Conrad Hilton Hotel.

John C. Sawhill, the FEA chief, made a move to set the course of the meeting in his welcoming address by

McKinley Olson is a Chicago-based editor-writer-photographer, a former editor and editorial writer for the York (Pa.) Gazette and Daily, and the compiler-editor of the forthcoming J.W. Gitt's Sweet Land of Liberty.

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declaring, "We're here today to discuss nuclear energy because of the potential it has to become a major energy source of the nation."

He then went on to contend that "the weight of the evidence suggests that nuclear power is among the safest sources of energy we have on hand today." As expected, any number of anti-nuclear spokesmen, representing conservation, scientific, consumer and environmental groups, were on hand to argue that very point with the likes of Sawhill.

But the hint of revelatory things to come emerged from Sawhill's passing reference to the fact that "construction costs" of atomic power plants "are high," and that "the nuclear industry needs to improve the reliability of operating power plants: equipment failures have been a major problem at new plants."

This set the stage for the dramatic entrance of David Dinsmore Comey, the establishment-bred environmental director of the Chicago-based Businessmen for the Public Interest. A persistent, informed critic and a formidable thorn in the side of the nuclear proponents, the 39-year-old Comey took the floor to insist that atomic power plants are highly inefficient producers of electricity, and that, as a result, they have wasted and will continue to waste billions of dollars. No one present was able effectively to refute his charges.

Comey's blast was a highly embarrassing, potentially damaging attack upon the nuclear industry, which has been claiming that atomic power is safe, clean, efficient and cheap. Using Atomic Energy Commission studies and figures, he reported that nuclear power plants on the average have been producing electricity at only 54 per cent of their capacity. And the longer they operate, according to AEC figures and to Comey, the lower their efficiency—so that the average operating capacity of plants seven years old and older is down to 38 per cent.

Figures pointing in this direction are not brand new, but Comey put them to interesting and effective use. Basing his projections on the plants in operation (but discounting the older, smaller ones), along with those that have been ordered and actively planned, Comey contends that the gap between the maximum capacity to produce and actual output could add $121 billion to the nation's power bill by 1990, if the plants generate at 54 per cent of capacity, and more than $198 billion, if they produce at only 38 per cent.

Mentioning figures of this magnitude touches another sore point for the nuclear establishment—its increasing struggle to obtain enough money to finance the building of new billion-dollar nuclear installations. "The annual requirements for new capital for the entire electric utility industry have recently bounced from $5 billion to roughly $10 billion," Comey said, "and the industry is having grave difficulties raising even these sums.

"It is unlikely that the investment banking community will be receptive to cost overruns of the magnitude described above. Since only the U.S. Government is likely to be available for these capital requirements, it may very well be that the names of General Electric, Westinghouse, Combustion Engineering, Babcock and Wilcox, Consolidated Edison, Consumers Power and others will join Lockheed, Boeing and Grumman on the rolls of corporations bailed out of costly technological misadventures by the taxpayers."

Prior to Comey's appearance, members of the nuclear establishment—among them Thomas G. Ayers, chairman and president of Commonwealth Edison Co., the nation's largest nuclear utility—were announcing at the Project Independence hearings that nuclear plants were both reliable and highly efficient.

They have been given to explaining that it takes three to four years to work out the kinks in new atomic plants, but contend that after that they operate at 80 per cent of capacity, compared to about 65 per cent for fossil-fueled plants—which are much cheaper to build.

Comey agreed that a new atomic plant reaches its peak after three or four years, then hammered away with his figures to argue that it's all downhill from then on.

One reason why atomic power plants don't operate at full capacity is that the authorities believe the likelihood of catastrophic accidents would increase if they did. Another is the fact that nuclear plants are subject to breakdowns and repairs—often long and unusually expensive. For example, because of radiation hazards, it took seven months, 700 men and $1 million to repair part of a cooling pipe at Consolidated Edison's Indian Point plant on the Hudson River.

Comey puts it this way: "Corrosion problems set in, leaking fuel becomes a problem, and system components break down due to fatigue and other wear-related problems. An additional hazard is the accumulation of highly radioactive crud in the primary system, which means that any repair work on this system will consume enormous amounts of time and personnel in order to avoid excessive radiation exposure. In some instances, thousands of workers have had to participate in the repair of a single plant, and a worker can receive his maximum permissible exposure after working on the primary system for less than sixty seconds, thus 'burning him out' for the next three months."

More, as a result of the Project Independence hearings in Chicago, it is apparent not only that construction and operating costs related to nuclear power may reach insurmountable heights for ratepayers and ultimately taxpayers to accept but, also, that the issue of nuclear safety and its direct tie-in to atomic plant reliability—and hence efficiency—will probably dominate the next round in the steamed-up battle between the pro- and anti-nuclear forces.

In the first regard, William R. Gould, chairman of the Atomic Industrial Forum, Inc., struck a recurring theme at the hearings when he reported that "the most serious problem now facing the nuclear industry . . . is simply the inability of the utility industry to finance the capital investment requirements of the power generating facilities . . . because of the higher capital costs associated with nuclear power plants."

Predicting that the industry's "new money needs" might reach an annual figure of $20 billion by 1980, Gould insisted that "it is quite clear that prompt and adequate rate relief is the step that would do the most good in the shortest time."

John Quale, president of Wisconsin Electric Power

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Co., also referred to the "present financial woes of this capital intensive industry," and voiced at the Project Independence hearings another utility plea for "timely rate relief. . . . Customers will have to recognize that the future costs of electric service will be substantially higher."

Wisconsin Electric Power is the leading figure in a joint $1 billion utility venture to build twin 900-megawatt nuclear power reactors on the shores of Lake Koshkonong, about 30 miles southeast of Madison, the state capital.

Wisconsin Power and Light is another utility poking around for more money. The company recently asked the Wisconsin Public Service Commission for a rate hike after obtaining state PSC permission to sell 1.5 million shares of common stock, in part to finance the proposed Lake Koshkonong atomic power plants. But the drive to build the plants has been encountering stiff opposition which could have far-reaching national implications.

Chicago attorney Myron (Mike) Cherry, representing a coalition of grass-roots anti-nuclear forces that has attracted the support of Friends of the Earth and Ralph Nader's organization, has pushed the high cost of nuclear power center-stage in his current fight against the Koshkonong plants.

"The average economics of the national nuclear industry across the nation has been quite poor," Cherry contends. "It costs double what it was supposed to cost. We should make sure the consumers—the ratepayers—do not pay for it if it turns out to be uneconomical."

The utilities have asked the Wisconsin Public Service Commission for permission to go ahead with their Lake Koshkonong project. The 35-year-old Cherry, who has dominated the current PSC hearings, is trying to persuade the state agency to turn down the application. He has managed to wrestle unprecedented concessions thus far from the PSC by hammering upon the commission's mandate to assure ratepayers of reliable electricity at reasonable rates.

Cherry argues that "a power plant's safety is a function of its reliability, and if a nuclear power plant has an accident . . . that's a factor in its operating costs, over and above the dangers of radioactivity." To buttress his point, he cites AEC figures showing that the average operating level of large nuclear plants across the country for the first six months of 1974 was only 52.3 per cent of their total generating capacity.

The economic arguments against nuclear fission power advanced by people like Comey and Cherry could be precedent-setting. Heretofore, the courts have held that only the AEC has the right to rule on matters of nuclear safety. Now, by tying the safety issue of nuclear power to its reliability and cost, the decision on whether or not to build individual nuclear power plants may be wrested away from the friendly hands of the AEC and returned to the public arena of state and local government proceedings.

Comey and Cherry have teamed up in the past to wrest sizable and quite expensive concessions from the nuclear establishment to improve atomic plant safety. This time, their separate economic attacks may throw the door open to an entirely new aspect of the nuclear controversy.

Comey may have had good reason to feel optimistic when he said, at the Project Independence hearings in Chicago, "Mr. Sawhill's enthusiasm for nuclear power needs to be reconsidered." □

PAUL TAYLOR

THE POWER OF A TENACIOUS MAN

MARY ELLEN LEARY

Berkeley

Dr. Paul Schuster Taylor is a phenomenon among academicians. Some think that what makes this University of California economist remarkable is the faith he has sustained in the small family farm in the irrigated West, despite the national decline of home-centered farming and despite the increasingly corporate pattern that converts agriculture into industry.

They are wrong. The size of a landholding is not the essence of the stubborn crusade Dr. Taylor has been carrying forward. True, he has been talking with singular concentration about 160-acre farms in reclamation districts. But what he has really focused upon is integrity in government: obedience to the law by the bureaus that administer the law. For thirty years this modest, gentlemanly scholar has been admonishing the public about a governmental flouting of the law which he considers as serious an abuse as Watergate.

With the U.S. public alerted these days to the consequences of governmental distortion of the law for special, private advantage, Dr. Taylor's alarms over land monopoly are enjoying a more hospitable reception than they used to get. He has been heard and heeded in Congressional circles in past crises. He has been published in academic journals and cited by the U.S. Supreme Court. But there are signs now that many of the politically alert among the general public have caught his concern for the National Reclamation Act, which was meant to prevent, or break up, vast corporate landholdings in areas of the West where government subsidy has made water available. Taylor's effort to keep alive the early American reverence for that finite resource, land, and to fit its use to the scale of man, matches the concern of present-day environmentalists.

Mary Ellen Leary has been a West Coast political writer for more than twenty years, most of them on the Scripps-Howard San Francisco News. *She is now a free-lance writer.*

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It is common these days for professors to be summoned to roles of political influence, where the power is in the leverage available. But it is rare that a habitué of the classroom deflects the course of history by what he says. Dr. Taylor has become a force by the sheer tenacity of his ideas and by the relevance of those ideas to the life of this nation. His influence is most recently attested by three critical lawsuits moving toward district and U.S. appellate court hearings in San Francisco and ultimately, it seems sure, to the U.S. Supreme Court. In addition, a spate of related legislation is proposed in the present Congress to grant special protection to the family farm and to set in motion an agency responsible for coping with "excess" landholdings. But what most profoundly reveals Paul Taylor's influence is the impetus toward new land policies in the United States which the environmental movement is shepherding.

Rarely does a prophet live long enough for his world to come around full circle and present him with a new generation of adherents whose parents had been nonbelievers. Dr. Taylor is in that happy circumstance. He emerged as a labor economist in the late 1920s and early 1930s, a time of deep concern for the rural poor and the immigrant poor. But that spirit was inundated by the postwar urban bustle. Through the long, bleak, uninterested 1940s, 1950s and 1960s, Dr. Taylor pursued a cause which even supportive friends thought was lost. Colleagues grew sensitive about the loneliness of his vigil; it had become absurd, many feared.

Now nearing 80, Paul Taylor thrives as the apostle of a new movement. His phone rings constantly. Strangers knock at his study door to ask for his articles. Colleges and universities ask permission to reprint his early studies. He has become unofficial teacher to a dynamic group of young people knit together through the National Coalition for Land Reform, with headquarters in San Francisco. He is revered by the Sierra Club. He is dispatched to public hearings on behalf of Friends of the Earth, interviewed for television, invited to speak to new, inevitably young audiences. His name is known among Indians, Mexican-Americans, Japanese-Americans and dirt farmers from Maine to Oregon. He is a catalyst for an assortment of determined "poverty" lawyers pursuing justice for the rural underdogs. Only a few weeks ago *University of California Law Review* editors asked him for an article on the Chicano and the 160-acre limitation. "I've recycled myself," he chuckles. "I go out into the streets and talk to anyone who will listen."

He pours out upon this accumulating multitude his conviction that America can, if it will, stop the accretion of political power in the hands of a wealthy few, and that the place to start is in reform of land policy:

> Who owns the land is not something trivial to a nation. It is central to our society, to our economy and to our political power system. Our New England ancestors were committed to a belief that widespread distribution of land ownership was necessary for the kind of society they wanted to create. Concentrated land ownership, the monopoly of land, was the essence of a feudal Europe which they had fled, an undemocratic Europe, a Europe in the control of an elite.
>
> The prohibition against monopoly of land . . . the insistence that land be cultivated by people who live on it—these two elements are deeply rooted in the American system. This is what this country is all about.

But he will acknowledge that his view is not universally accepted. "Most people don't know anything about land. They will. They'll come to it. They are beginning to wake up to it now." And he says:

> If the facts get out, if people open their minds and understand what is involved, they will see that the benefit of public spending must be spread to the largest number of people possible. Even urban people who don't have much instinct for land can see the justice involved.
>
> This issue isn't as remote as some think from urban problems. Much of the population pressure and discontent which disturbs our cities has been caused by carrying into modern times the plantation-style farming of the South and the style of farming in the West left over from the immense rancherias of the Mexican era.
>
> We have fostered an agricultural system which has driven the modest family man off his farm. We pride ourselves on the efficient large-scale agriculture which replaced him. And we reap the social consequences in our cities.

Dr. Taylor's name has become synonymous with the term "160 acres." Around this figure of 160 acres, the quarter section of land which was the family development pattern in frontier and homesteading days, his arguments have rung through successive Congresses since the early 1940s, through corporation board rooms, through top councils of the American labor movement, and through pivotal cases that earlier reached and persuaded the U.S. Supreme Court.

Quite commonly, smiles break out over so quaint a concept: that a land ownership scale suitable to the ox team and hand plow could have pertinence today. Modern agriculture is a complex international marketing enterprise attuned to the computer and to mechanical pickers. In some parts of the West one ownership can stretch from horizon to horizon. Small farms in the United States have dwindled by half in the past thirty years, to a present total under 3 million. Of these, the largest farms—representing about 2 per cent of the owners—dominate a third of the total produce sales.

But Dr. Taylor is not arguing that the small family farm in the irrigated West, 160 acres per owner or, if you join husband's and wife's allotments, 320 acres, is his academic configuration for the wisest system of land distribution. Nor is it his own unique view that families should live on the land they till. What he has been saying for thirty-five years in lectures, legislative testimony, academic journals and private exhortation is that *Congress* holds this view. Congress ordered the 160-acre norm and family residency. Congress laid down these provisions for areas receiving water under the National Reclamation Act, and has repeatedly reaffirmed them. Congress said its huge reclamation expenditures were intended to help the largest number of people on the land, not to bring unearned increment to corporate interests.

The explicit conditions apply to lands enjoying the advantage of water made available by dams, reservoirs, aqueducts, pumping stations and other elements of the immensely costly water projects which have been pro-

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vided by U.S. tax money. The precise language (Section 5, National Reclamation Act): "No right to the use of water for land in private ownership shall be sold for a tract exceeding one hundred and sixty acres to any one landowner, and no such sale shall be made to any landowner unless he be an actual bona fide resident on such land, or occupant thereof residing in the neighborhood of such land. . . ."

Recognizing that there would be landowners with larger holdings in areas where reclamation water would be channeled, Congress in 1912 provided that such owners might secure water if they formally signed a recordable contract with the government to sell land in "excess" of their 160 acres within ten years. In 1926, it was specified that the sale price must be at pre-project levels and that the transaction must be under the supervision of the Secretary of the Interior.

In more than a dozen instances, from 1906 through the 1960s, sometimes when Republicans were in power and sometimes with Democratic majorities, Congress has engaged in fierce conflict over attempts to scuttle this policy, and in each instance Congress has concurred with the original terms of this law. In the 1940s, Sen. Sheridan Downey (D., Calif.) battled repeatedly with Secretary of Interior Harold L. Ickes in an effort to curb or abolish the limitation, and at the critical point Sen. Robert M. La Follette, Jr. of Wisconsin came to the rescue. In the 1950s Paul Douglas of Illinois and Wayne Morse of Oregon were defenders against interests seeking to erase acreage limitation. In the 1960s, new champions were on hand to scotch yet another effort, raised by Gov. Ronald Reagan and Sen. George Murphy.

Through those years a band of stalwarts stood guard over the original purpose of the law. They included the National Farmers' Union, the Grange, many church groups and, consistently, vocally, the organized labor movement. It has supported the fight against land monopolists since the 1870s, and the AFL-CIO today is a staunch advocate of the 160-acre limitation law. In each of these epochs, Dr. Taylor, quietly behind the scenes, rallied supporters, found witnesses, alerted the unwary and provided the documentation. He saw to it that the case for acreage limitation and the historic principles behind it were laid before Congress so openly and so explicitly that the legislators could not dodge the choice between corporate interests and the small farmer. Each time, the small farmers won—at least as far as the law reads.

Repeated assaults and the passage of time might be expected to grind this cause into oblivion. Many people today assume that its basic objectives are, as Governor Reagan termed them, "archaic." Opposition to the 160-acre limitation thrives. It was strong enough to persuade President Nixon's National Water Commission last year to term family farming "an agrarian myth" and to propose blue-penciling the whole concept, letting farmers "buy out" for any size acreage. Fresh encounters in Congress over this issue are brewing, but the remarkable fact is that support for the 160-acre limitation and for the principles it represents has been rejuvenated recently and is steadily gaining adherents. In 1968, the National Wildlife Federation wrote Secretary of the Interior Stewart L. Udall, "It is our belief that a groundswell of public

Dorothea Lange Collection; the Oakland Museum

Paul Taylor

opinion is developing for support of strong enforcement of the Reclamation Act."

However, enforcement is the crux. The law has been retained on the books. But what Dr. Taylor insists has occurred, what he has spent his time documenting, is a pattern of evasion by which the purpose of the National Reclamation Act has been thwarted, circumvented or "modified by administrative interpretation," for the benefit of wealthy special interests and to the disadvantage of persons with modest means.

Over the years, owners of large holdings have sought in one way or another to overcome the law's restrictions. In some regions they failed, and the law has been applied. Owners of "excess" land have received water because they signed contracts committing them to sell off acreage beyond their family holdings at the end of ten years. Some of them stalled when the time came or found devices such as trusts or partnerships by which to evade the law. Others have indeed sold, and their surplus land formed new farms. Family farms dot a considerable portion of the federally irrigated West. Ten years ago, a Department of the Interior report claimed that only 3.5 per cent of the land within some ninety-five various projects remained in excess ownership, but this claim is subject to interpretation. The department has tolerated many corporate-sized buildings under legal devices which Rep. Jerome R. Waldie (D., Calif.) calls "circumvention" of the law. In 1972 the General Accounting Office undertook a detailed analysis of supposedly compliant areas and reported so many abuses that it advised Congress that the intent of the law had been foiled. It found 14 per

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cent of the property in excess holdings, ranging from 1,744 acres to 40,404 acres. Government subsidy bringing water to the areas examined amounted to about $1.5 billion, the GAO reported.

On lands which enjoy water through systems built in whole or in part by federal reclamation money, there are now under legal challenge in California such holdings as the Tejon Ranch, 54,000 acres; Standard Oil of California, 101,120 acres; Tenneco Corporation, 162,000 acres. In the Imperial Valley, seventy-five property owners hold 1,000 acres or more each, some of them 5,000 acres; the Irvine Land Co. owns 9,000 acres there.

In the current lawsuits, argument is advanced that California's semi-desert valley regions increased in value by sums ranging from $577 to $750 per acre when water became available. Thus, merely measured by the real estate market, a family farm of 320 acres lifted from its natural aridity to agricultural productivity is blessed with an instant subsidy of at least $184,640. The holder of 1,000 acres is endowed with a subsidy of $500,000 and up. Beyond that, the figures mount astronomically. It was to justify spending public money on projects offering such large direct subsidy to individual property owners (along with advancing the region's economy) that Congress thought it necessary to establish a policy that would spread these benefits to as many individual families as possible, and to require that families in fact live on the land that was to be so generously helped.

But a network of exemptions eroded this principle. Now three lawsuits in California are designed to force the courts into a thorough analysis of two of the most significant "exemptions." They bring to focus many of the contentions Dr. Taylor has raised in a lonely alarm for so many decades.

Two of the pending court actions oppose the intention of Congress to an exemption granted to Imperial Valley landowners by a private interpretation of the law which then lame-duck Secretary of the Interior Ray Lyman Wilbur penned in February 1933, ten days before the Hoover administration expired. The result of Wilbur's interpretation is that in California's opulent, low-lying valley inland from San Diego and adjacent to the Mexican border—one of the most fruitful agricultural areas of the world and flourishing because Boulder Dam regulates the flow of the Colorado River—most of the land is in large holdings and nearly 50 per cent of the owners are nonresidents. Secretary Wilbur's letter of exemption has been assumed to be adequate authority for ignoring reclamation law. Now, this exemption is under legal challenge. In 1964 the U.S. Department of Justice finally confronted the situation in the Imperial Valley and held that the "plain intent" of the law was indeed applicable there. A long series of rulings within the Department of the Interior over a thirty-year period had reflected growing dissatisfaction with Wilbur's opinion, and finally Solicitor of the Interior Frank J. Barry came right out and said the law should apply. Justice concurred. Then for three years the government went through vague maneuvers aimed at winning voluntary compliance from Imperial growers; finally it went to court. Four years later, on January 5, 1971, in a distinctly different political climate, U.S. District Court Judge Howard B. Turrentine ruled that the acreage limitation does not apply to Imperial Valley landholdings. As proof of just how changed was the climate, the federal government, which had initiated the suit, did not appeal Judge Turrentine's ruling. Instead, a band of landless residents of the valley intervened and were permitted to appeal.

This same group instituted the second legal action. It includes a number of Mexican-Americans who would like to own their own farms and a spirited physician, Dr. Ben Yellen, an ex-New Yorker, who has been active in support of Chicano interests. This second suit challenges the waiver of residency by landowners in Imperial Valley. On September 27, 1972 in San Diego, U.S. District Court Judge W.D. Murray ruled that Secretary Wilbur's interpretation "is not now and never has been reasonable." Administrative fiat cannot erase a law passed by Congress, Judge Murray said. Failure to enforce this law, he continued, "is destructive of the clear purpose and intent of national reclamation policy." In this case, there was no doubt about an appeal being sought. Imperial growers went hastily to court. These two directly contradictory judicial opinions, which deal with two phrases in the same sentence in the National Reclamation Act, have been linked for purposes of hearing and are calendared for argument soon before the Ninth U.S. Circuit Court of Appeals in San Francisco.

A third lawsuit still at the U.S. District Court level, also in San Francisco, involves acreage irrigated through the California State Water Project. It has not been generally considered a federal undertaking and in fact there is some evidence to suggest that the state program was conceived to avoid the constraints of federal reclamation law. But now a group of small farmers who receive their irrigation water through the federal system in California's Central Valley and are therefore bound by the 160-acre limit have challenged this separate water system which flows along the west side of their valley. They claim that the state plan, lacking acreage restrictions, affords "enormous speculative gain" to the landowners involved and encourages "a frightening concentration of land and of power . . . posing a substantial and unfair competitive threat" to small farmers who are under federal limitation.

But the nub of the legal argument, strongly supported by evidence Dr. Taylor has accumulated, is that joint use by state and federal systems of certain reservoirs, canals and backup reserves of water, as well as joint spending for certain facilities, so commingles the product of the two projects that the twin federal restrictions of residency and acreage should apply in both state and federal areas.

The Sierra Club and a number of other environmental groups have filed supporting *amicus curiae* briefs. Said the Sierra Club, "Failure to apply the 160-acre limitation . . . has created and will in the future create grossly and artificially inflated demands for irrigation water . . . for the benefit of speculators."

Whether the courts will agree with the litigants who urge that holdings beyond 320 acres for a family, either in the Imperial Valley or in the California State Plan service area are in fact violations of law remains to be seen. It is worth remembering, however, that the U.S.

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Supreme Court, in June 1958 (*Ivanhoe Irrigation District* v. *McCracken*, 357 U.S., p. 297) held that the reclamation law's limitations created "a reasonable classification," adding that "The project was designed to benefit people, not land." This ruling recognized Professor Taylor's singular efforts to protect the principles of the Reclamation Act, and cited his writings.

Whether the pending litigation will break up large holdings and reverse the trend toward land monopoly lies in the future. But out of some early research by Dr. Taylor, which uncovered proposals made more than sixty years ago that the federal government itself ought to buy up "surplus" land in reclamation districts, there has developed a plan for an agency to enforce the 160-acre limitation, purchase the excess land at pre-water prices and then resell or lease it at current prices, the profit going into a special fund for education and conservation. This could lead to a more aggressive policing of the law than the Department of the Interior has managed to date. A bill proposing such a national land conservation program (H.R. 5236) has been introduced by Rep. Robert Kastenmeier of Wisconsin and endorsed by six California Congressmen. Sens. Birch Bayh, Alan Cranston and Philip Hart have proposed parallel legislation. So far, no hearings have been held, but conservation and education groups are building support for this kind of land-use reform.

Sen. James Abourezk of South Dakota who has drafted a "family farm antitrust act" expressed a sense of debt to Dr. Taylor's "admirable" battle. He feels that the growing concern over land use leads inevitably to a revival of support for small farm ownership. Michael McCloskey, executive director of the Sierra Club, also thinks that family farming places less burden on the environment than does quick-profit corporate farming.

Meeting Dr. Taylor, one is beguiled by the gentleness of the man. He has a delicate, whispery way of talking and the courtesy of an earlier day. The years have slowed his gait—he has been professor emeritus since 1962—but his bulky frame still suggests a strong man who belongs out of doors; his fleshy, freckled hands designed better to guide a plow than to leaf patiently through historic documents. Beneath his abundant, unruly and still brown hair, peering from under bushy, russet eyebrows, his eyes sparkle with the interest and responsiveness of a youngster's. Very round, very ruddy cheeks, inherited no doubt from a Swiss grandfather named Schuster, reinforce the impression of boyishness —not mischievous, not puckish, but naive. He seems a kind of innocent, and some Western growers and their stylish corporation lawyers made that assumption before they learned how tough in combat a man can be who is inflexibly in pursuit of the facts.

Paul Taylor has been at the center of successive great social movements for more than half a century. He was one of the first to recognize and document the problems of America's migrant farm labor, particularly that from Mexico. He chronicled the distress among Southern sharecroppers and tenant farmers that followed mechanization of agriculture. Early in the depression, he drew national attention to the potential of self-help cooperatives. He was among the first to propose and bring into being federal labor camps, when no other housing was available for the rural destitute. He saw the tremendous hope for displaced dust bowlers in the great reclamation programs which opened up new farmlands in the West, and he has been the indefatigable champion of the National Reclamation Act: to succor small farmers, not corporate absentee owners. When the Japanese were herded into relocation camps during World War II, Dr. Taylor was one of the first to denounce the program for flouting legal protections and native humanitarianism. When the environmental movement grew past the anti-pollution stage into a positive concern for natural resources, its advance men found Paul Taylor already on the scene.

It is a curious—perhaps a logical—coincidence that Paul Taylor was drawn into the reclamation-law controversy because of his concern for Mexican migrant labor. From the late 1920s he was deeply involved in a detailed study of Mexican immigration into this country. His principal writings have been on this topic. His major work, *Mexican Labor in the U.S., 1928-34,* has been republished lately by the University of California Press.

He came to write about this issue after a youth spent in the Midwest, where he was thoroughly imbued with the prairie farmer's pride in his own labor and his own land. Born in Sioux City, Iowa, of parents who had both graduated from the University of Wisconsin, Paul Taylor attended the same university during that golden era when the "progressive" spirit dominated the campus. There he soaked up an intellectual compassion for the oppressed among workingmen that has been the driving force of his life. When he returned from World War I, with lungs damaged in a gas attack, doctors discouraged his intention to take up graduate studies at Columbia University, suggesting instead the milder climate of Berkeley. He earned his Ph.D. in 1922 at the University of California, and stayed on to teach.

All through his work, Professor Taylor had felt the need for photography to put the record of conditions in bolder and more irrefutable terms. He bought himself a second-hand Kodak, and was constantly searching for illustrations by others to illuminate his articles. Thus it chanced, in 1934, that he came upon a particularly eloquent photograph taken during the general labor strike in San Francisco. He went to the telephone to track down the photographer. It was Dorothea Lange, wife of the artist Maynard Dixon. He hired her to work with him on the California Rural Rehabilitation project. She had to be identified as a typist, photographers being too novel for public payrolls. They went first to Nipomo, Calif. Photographs of "Starving Pea Pickers" sent a shock wave across the state when they were published in August 1935, in the *San Francisco News.* Taylor's report—and the Dorothea Lange photographs—caught national attention. They went to Rexford Tugwell, national administrator of the Farm Security Administration, who was in charge of the Roosevelt administration's commitment to do something practical for the destitute in the rural areas. This led Dr. Taylor to take a year's leave from the university to serve as labor adviser to the Resettlement Administration in the Western states. He and Dorothea, having divorced their respective spouses, were married.

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After returning to the university he worked with the research division of the Social Security Board until 1941.

During Gov. Culbert Olson's Democratic administration in California Dr. Taylor was busy as an adviser to the state Department of Employment, a member of the Governor's Committee on Re-employment in 1939, and from 1940 to 1944 a member of the State Board of Agriculture, a service to send shivers down the backs of present members on the Ronald Reagan board, whose loyalties lie largely with the big growers. In 1943 he became a consulting economist with the Department of the Interior. His work on self-help cooperatives had made him many friends in the Roosevelt administration, one of them being Arthur Goldschmidt, whom Lyndon Johnson later made U.S. Ambassador to UNESCO. Goldschmidt headed the power division in the Department of the Interior in 1943, when that department was sizing up responsibilities it had assumed in building Shasta Dam, one of the earliest massive public-employment projects of the depression. Some twenty-five problem areas had been designated for study and Goldschmidt asked Paul Taylor to represent the department on a number of these "task forces." Problem Area No. 19 concerned acreage limitation. It was Paul Taylor's introduction to the subject.

One day he was casually discussing it with his neighbor and good friend, Walter Packard, with whom he had served on the Farm Security Administration. Packard, one of the key men in Tugwell's Resettlement Administration, an extraordinarily advanced social thinker in agriculture, gave Dr. Taylor strong encouragement over the years. He said on that day: "It's perfectly clear what has to be done about the size of acreage entitled to receive water. Each parcel should be limited to 160 acres."

Musing back upon his own grandfather's homestead plot, Dr. Taylor agreed that that might, indeed, be a good idea. "Good idea! It's the law!" said Packard. "I had never heard of it before," Taylor says today, with an air of astonishment.

There was reason. Growers in the West who had for years pressed the state and then the federal government to build Shasta Dam to bring water to their lands, saw to it that the question of acreage limitation receded as far as possible toward infinity. They hoped to obliterate it from the law. That they didn't, through all the years since, is due almost singly to the perseverance of Dr. Taylor. He likes to note that in those early days when he first became involved in the struggle to retain and enforce the 160-acre limitation, people would ask if he didn't think it was a lost cause.

"I told them then that I didn't know. I still don't. But I'll say this, it is a cause that is getting a lot more attention these days." □

VIETNAMESE STUDENTS

Will We Ship Them Back to Thieu?

RON RIDENOUR

Article One of the peace agreement, signed in Paris on January 27, 1973, by the United States, North and South Vietnam, and the Provisional Revolutionary Government, calls for the return of all war and political prisoners to their homes within ninety days. Section B of Article One states that the parties will "ensure the democratic liberties of the people: personal freedom, freedom of speech, freedom of the press, freedom of meeting, freedom of organization, freedom of political activities, freedom of belief, freedom of movement, freedom of residence, freedom of work, right to property ownership and right to free enterprise."

Having signed this agreement, the Saigon government holds in its jails today more political prisoners than any other country in the world. The official estimate of the Committee to Reform the Prison System in South Vietnam is 200,000. The committee is predominately composed of Catholic religious and lay people.

According to the committee, there are 13,000 political prisoners in four special prisons; 12,000 in military prisons; 25,000 in the nine main prisons; 50,000 in thirty-seven provincial prisons; 68,000 in district and village jails; and 33,800 in "interrogation centers." (Committee document of June 1, 1973.)

Despite the imprisonment, torture and murder inflicted by Thieu on the Vietnamese, the U.S. Department of Justice ordered seven Vietnamese students studying in the Los Angeles area to appear for deportation proceedings. These students have been speaking out against the Thieu regime and the ongoing war in Vietnam for two to three years. When their visas expired, they were denied political asylum in a letter of June 13, 1974, signed by Joseph Sureck, Los Angeles district director of the Immigration and Naturalization Service (INS).

The seven (Nguyen Huu An, Vu Ngoc Con, Bui Van Dao, Doan Thi Nam Hau, Nguyen Hoang, Cao Thi My Loc and Nguyen Dang Yen Truc), all here on exchange visitor status from the Saigon area, had applied for political asylum on the basis of Article 243 (h) of the U.S. Immigration and Nationality Act. "The Attorney General is authorized to withhold deportation of any alien within the United States to any country in which in his opinion the alien would be subject to persecution on account of race, religion, or political opinion." They also refer to Article 33 of the United Nations Convention on Refugees which was ratified by the U.S. Senate in 1968.

Sureck said that their application had been reviewed by the Office of Refugee and Migration Affairs of the Department of State and that "After careful consideration of the information submitted by you and after con-

Ron Ridenour is a free-lance writer and editor of Open Forum, *published by the ACLU of Southern California.*

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sultation with the Department of State it has been concluded that you would not be subject to persecution if you returned to Vietnam."

In June 1972, these seven students went to the Saigon Consulate General in San Francisco, along with fourteen other Vietnamese students, to present a letter protesting the waves of repression then occurring in Saigon. It was a period of intensive bombing in Vietnam, when Thieu's administration was rounding up many thousands of civilians, especially students.

That same month, four students (two of them, Nguyen Huu An and Vu Ngoc Con, among those now facing deportation) received a letter from the Agency for International Development terminating their training program under AID sponsorship. The agency also said that the government of the Republic of Vietnam had requested their return and that "An international ticket for your return transportation to Vietnam is on hand in this office." The two women facing deportation, Cao Thi My Loc and Doan Thi Nam Hau, received telephone calls from Pan American Airlines, telling them to pick up their tickets to Saigon and fly back immediately. (Since that time the students have had to find odd jobs and live on far less than the $240 a month AID stipend.)

Nguyen Thai Binh, who had helped to occupy South Vietnamese consulate offices in New York and Chicago earlier in the year, was also instructed to pick up his ticket. Thai Binh was out of touch with other Vietnamese activists when he received the letter and, unlike the others, did not initiate a legal struggle to overturn the order. He picked up his Pam Am ticket and decided to take the plane to Hanoi rather than to its Saigon destination. He faked a grenade with two lemons in an attempt to divert the plane, but was overpowered and shot to death—unnecessarily, according to at least one witness.

Others of the 5,000 to 6,000 Vietnamese studying in the United States, most of whom are here on AID scholarships, fled to Canada when they were confronted with having to return to Saigon and almost certain repression. But those who began the legal resistance process have been able to extend their stay by two years. "We were called in by the State Department and asked why we were still here," My Loc said in a recent interview. "But they didn't do anything until now. I guess it's because the anti-war movement was very strong."

However, on August 15, the seven were brought before INS Commissioner S.L. Hozman in the government's first major attempt to deport Vietnamese students. The small courtroom could seat only four of the seven defendants. Their two attorneys, Frank Pestana and Leonard Weinglass (of the Chicago 7 trials), had to stand, as did several reporters. Outside, 200 supporters picketed the Federal Building. After protests from the attorneys and a rally by the supporters, the district director was able to discover an empty, larger courtroom and 150 anti-war supporters crammed into it.

Pestana has been representing aliens for thirty years and successfully defended David Huhyn, a Korean, during the Korean War years. As an alleged Communist, Huhyn faced deportation and certain government repression. Pestana also defended Harry Carlysle, an Englishman, during the McCarthy years. He told the media on August 15 that one person in the INS had admitted privately that the government views the political asylum article as applicable only to those fleeing "Communist countries." But Pestana is optimistic that this case can be won, since there is so much evidence to support the claims of the defendants. Contrary to the assumption on which all citizens are tried, the burden of proof in this case falls on the defense.

"But if we lose on the trial level," Pestana said, "it could go on for two, three or more years." The first appeal is to the Board of Appeals of the Department of Justice, then to the federal Circuit Court of Appeals, and finally to the U.S. Supreme Court. By then, the students' objectives may have been won anyway. They want to stay in the United States only until it is safe to return home—that is, until the peace accords are actually implemented. And they hope that that will be the case by the time the legal process is completed.

The students believe that their struggle to survive is a microcosm of the war and its myriad tragedies. They point to the fact that each day more and more Vietnamese students here, as in Vietnam, are coming to the conclusion that Thieu is totally corrupt and brutal, and that the peace agreement is a good and sensible one. They think this conviction is the main reason why the U.S. Government wants students like themselves deported, as a warning to others not to speak out, not to influence others.

"It's a shame for me to tell you that I had to travel one-quarter of the globe, to come to your country, in order to learn about my people, my land, myself. It is so happy for me to find out that we have a glorious culture. I never knew that when I lived in Saigon," Nguyen Hoang told me in a recent interview.

Hoang is a 31-year-old native of Saigon. He came to the United States in 1970 to study electrical engineering at the California Polytechnic State University. He had been an army officer instructor in engineering at the military school of Saigon (similar to the United States' West Point. "Even the toilets were brought over from the U.S.," Hoang says of his Americanized Vietnam military school). "The U.S. Government wanted Americanized instructors at the school. So they picked a few dozen officers to train over here."

Hoang had been active in the student anti-war movement, although he knew nothing about the National Liberation Front. He merely did not want the misery and corruption to continue. Then one day he was drafted. Since he'd had a college education and was a teacher, he was made a military instructor. "Just because you are in the army doesn't mean you are pro-Thieu, you see," he said.

Hoang learned a lot about Saigon corruption in the army and about the United States' repressive role in Vietnam. "But it was dangerous to say anything." When he was offered the chance to study in the United States, Hoang saw it as an opportunity to get away from the army, to learn more, and to know more about "your country, and why your government was in my country."

Hoang left his seven brothers and sisters and his carpenter father and came to the United States. "Neither they nor I can communicate openly for fear of reprisals."

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While flying here, he thought about what a friend of his had told him when he had visited the United States: "The American people are very friendly, and sad about the war. I met a woman once who, when she learned I was from Vietnam, broke into tears and, crying loudly, hugged me."

Once in school, Hoang read everything he could about the American people and the war. He met other students who were developing ideas about the war and in the spring of 1972 decided to put on a cultural show about the Vietnamese. The show was eventually performed scores of times to thousands of Americans, most of whom were not in the anti-war movement.

My Loc and Nam Hau were two of the few Vietnamese women here who participated in the cultural presentations. Like Hoang, My Loc was greatly influenced by the American people. "Whenever I saw Americans asking for peace in Vietnam, I was really moved." She is the youngest of five children; her father is an elementary schoolteacher in Hué.

"I came here at 19, unaware. I wanted to find out what the United States is like. I felt uneasy. I didn't understand why the United States was warring in my country." What she has learned here is the product of a confusing contradiction: the United States, the same nation that committed the kind of terrifying acts that used to surround her, now allows My Loc to study, almost unhindered, the theories and rationalizations behind those acts.

Nam Hau recounts how she went to school one day in her town of Saigon and discovered NLF leaflets strewn about. That was the first time she, and most of her schoolmates, had ever seen anything from the "enemy." "I didn't know what to think," she said. Eventually two students were arrested and never heard from again. Nam Hau had been brought up to believe that the NLF were evil monsters. "They actually showed films and put on plays portraying the NLF as monsters with fangs who ate children. We were told their blood was that of rats."

At 18, Nam Hau saw an AID advertisement for study abroad in her local newspaper and applied. She came from a college-educated family; her father was a government worker. The national police (now numbering 120,000, or one in every 125 people) determined that she had no political affiliations, had not engaged in political acts, had a clean criminal record, had good grades in high school, and was a city dweller (almost always a requirement). After one year, the Board of Overseas Studies granted her application. She then went to the AID office and filled out more papers, none of which she could read since, at that time, she knew no English. Soon she was on her way to journalism studies at California State University at Long Beach on an AID "Leadership Scholarship."

Huu An is a 26-year-old native of Thu Duc province, studying electrical engineering at Northrop. Ngoc Con, from Ninh Binh, is a 26-year-old student of mechanical engineering at Northrop. Van Dao, 25, studies civil engineering at California State University at Long Beach; he is from Thanh Hoa. Yen Truc also studies at Northrop in aircraft engineering. He is 24 and comes from Quang Tri province.

It is not known if any of the seven students facing deportation are victims of a spy network, but at least one Vietnamese agent lives and works in Los Angeles, according to a recent *Intelligence Report*, printed by Liberation News Service. The student agent is a woman, Ca Thi. Her identity, and those of others, was discovered by a group of Vietnam Veterans Against the War/Winter Soldier Organization who occupied the South Vietnamese Office of Information in Washington, D.C. last January. While there, they found a report which described a rather extensive spy network conducted by Vietnamese with the help of the CIA and the State Department.

The report concludes: "For the Vietnamese, however, the addition of their names to Saigon intelligence lists means that it would be difficult if not impossible for them to return to their homes without facing arrest by the Secret Police." This network is just one of the many reasons why most of the students fear for their lives, but it has not deterred scores from voicing their disapproval of the war. The seven who plan to fight their deportation battle continue to speak out.

These students have integrated well in the United States. Nam Hau says she is surrounded by many friends. "But I would still feel more at home in Vietnam." She expressed a feeling held by most of them when she said that they feel somewhat strange here. "Americans express themselves differently."

Nam Hau has visions of becoming a feature writer for a Vietnamese newspaper. "I want to travel throughout Vietnam and portray the lives of the Vietnamese people." And Hoang wants one day to teach physics in a Vietnamese high school.

They are all optimistic about the future and about their own outcome. "The Paris agreement is a beautiful solution for Vietnam," Hoang said. "Step by step we hope all of us can accomplish it."

But before the war is finally over, they believe there will be more misery for the Vietnamese and more deportation hearings. One case is now pending in Portland, Ore., and more are expected soon in New York and San Francisco.

There has already been significant support for the seven students threatened with deportation in Los Angeles. Besides the numbers who attended the first day of hearings, the American Civil Liberties Union of Southern California has agreed, if necessary, to enter their case on appeal. The ACLU has also sent letters recommending political asylum for them to the State Department, the INS, and to Representatives and Senators. Rep. George Brown, Jr. (D., Calif.) wrote back immediately, saying that he has urged the INS to grant political asylum to the students. He also got six other Congresspeople to send similar telegrams of support: Bella Abzug (D., N.Y.), John Conyers (D., Mich.), Fortney Stark (D., Calif.), Ron Dellums (D., Calif.), Michael Harrington (D., Mass.) and Jerome Waldie (D., Calif.).

Another important battle has been joined in the perennial war in Vietnam. And it may be that the small and floundering, but still vibrating American anti-war movement will have another national issue upon which to focus. □

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BOOKS & THE ARTS

Anarchism and the Role of Art

EDUCATION THROUGH ART. *By Herbert Read. Pantheon Books. 328 pp. $10. Paper $4.95.*

GEORGE WOODCOCK

After a somewhat meteoric course as a popular lecturer and an impresario of the arts during the 1940s and the 1950s, Herbert Read has since his death in 1968 become one of the more neglected of the generation of English writers dominated by Eliot and Wyndham Lewis. Perhaps the most curious aspect of his record has been the fate—a fate of misunderstanding—of his most influential book, *Education Through Art,* which is now reprinted, but which one suspects will be as little recognized as it was in Read's own time as, apart from its other virtues, his one original contribution to the discussion of anarchist tactics.

At the time of its first appearance in 1948, the reputation of *Education Through Art* spread far beyond Read's normal audience of anarchists and art lovers, and indeed influenced (though rarely in the political direction he hoped) many of the people he most wished to reach—the teachers, and their teachers in the colleges of education. Yet the apparent success of *Education Through Art* was both delusory and transitory, and nowadays one hears far less from educators than one did twenty years ago of the fresh insights that, as an outsider, Read brought into the field of educational method. To an extent, of course, his ideas were absorbed into current educational theory and in a rather hidden way they continue to influence teaching methods and curricula, while his book itself recedes into the honorable position of a little-read educational classic. Yet the total revolution in educational philosophy which Read hoped to provoke has not taken place; education in the arts has improved, but art itself has not, as he wished, become the guiding force in education, and consequently schools are making no better a job than their predecessors of the vital task of harmonizing both individual lives and the patterns of society through fostering a natural instinct for order.

George Woodcock is a historian, biographer and literary critic. He is editor of Canadian Literature, *author of* Gandhi, *and has recently published a study of Aldous Huxley.*

What Read wrote as a scenario for revolution had in practice been taken as a text for reform; he became sadly aware of this, recognizing it as a kind of failure, and in the last year of his life, writing in *Encounter,* he remarked that few people had understood "how deeply anarchist in its orientation a work such as *Education Through Art* is and was intended to be," and added that it was "of course humiliating to have to confess that its success has been in spite of this fact."

No one aware of Read's political inclinations had in fact any doubt of the anarchist orientation of *Education Through Art.* Scholarly in presentation and uninflammatory in tone, it was Read's most originative contribution not only to libertarian theory but also to the concept of revolutionary strategy. Like the anarcho-syndicalists, Read thought he had devised a mode of action that would serve not only as the model for a free society but also as the means to prepare for and create that society.

To recognize the anarchist direction of *Education Through Art* is not to minimize its other importance in giving a practical shape to Read's aesthetic philosophy, as adumbrated in *Icon and Idea* and *The Forms of Things Unknown.* It merely preserves the balance of a view that sees most of Read's writings (including his poems and his strange romance, *The Green Child*) as manifestations of a unified activist philosophy, for, as Read said in an earlier book *(Art and Industry):*

> The problem of good and bad art, of a right and wrong system of education, of a just and unjust social structure, is in the end one and the same problem.

Earlier anarchists were aware of the importance of education. They had criticized the authoritarian structure of existing systems, and had recognized the need in their own vision of society for a form of education that would change human character as we know it by removing the patterns of constraint that had characterized traditional ways of learning. But most early anarchists were men in a hurry, convinced that the state and the capitalist order could be overthrown in their lifetime by the effective use of a Bakuninist passion for destruction, so that few of them paid much attention to new educational methods, believing that these might evolve freely once the great liberation had taken place.

William Godwin, no apocalyptic insurrectionary, alone anticipated Read in stressing the revolutionary potentialities of a libertarian educational system. In *Political Justice,* Godwin forecast accurately how dictatorial governments would utilize systems of national education that in his day were merely planned for the future; in *The Enquirer* he sketched out a training based on equality between teacher and student, and the creation of an atmosphere in which the student's initiative would be stimulated so that he would learn by desire. But between Godwin and Read anarchist writings are surprisingly lacking in original thought on education. By present-day standards, celebrated anarchist educators like Francisco Ferrer seem cautious in ideas and practice alike, and the few actual anarchist schools of the nineteenth century were more concerned with injecting revolutionary ideas into their pupils than with evolving a method that would lead toward personal integration and hence toward social harmony.

Even among modern progressive educators, like Edmund Holmes and A.S. Neill, who went far beyond the doctrinaire anarchists in both theory and experimental practice, Read felt the lack of true inspiring purpose. It was not enough to set the student free from constraint; there must be a positive principle at work if children were to be equipped to change not only their lives but also their society. The difficulty, Read suggested, lay in the fact that, while all progressive educators agreed "that in a democratic society the purpose of education should be to foster individual growth," few of them in fact understood the nature of growth.

> It is usually regarded as a process of gradual physical enlargement, of maturation, accompanied by a corresponding development of various mental faculties such as thought and understanding.

If such a view were correct, education would be a simple matter of lifting constraints to allow natural development. But Read had seen too many maladjusted children emerging from progressive schools because of such an undirected approach, and he became strongly critical of the simplistic theory of gradual and natural maturation:

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> We shall see that this is a wholly inadequate view of what is, in effect, a very complicated adjustment of the subjective feelings and emotions to the objective world, and that the quality of thought and understanding, and all the variations of personality and character, depend to a large extent on the success or precision of this adjustment. It will be my purpose to show that the most important function of education is concerned with this psychological "orientation," and that for this reason the education of the aesthetic sensibility is of fundamental importance.

By "the education of the aesthetic sensibility" Read does not mean the haphazardly rudimentary training in the arts customary in traditional schools. What he proposes is to utilize "all modes of self expression"—visual, verbal and aural—so as to achieve

> . . . an integral approach to reality which should be called *aesthetic* education—the education of those senses upon which consciousness, and ultimately the intelligence and judgment of the human individual, are based. It is only in so far as these senses are brought into harmonious and habitual relationship with the external world that an integrated personality is built up. Without such integration we get, not only the psychologically unbalanced types familiar to the psychiatrist, but what is even more disastrous from the point of view of the general good, those arbitrary systems of thought, dogmatic or rationalistic in origin, which seek in despite of the natural facts to impose a logical or an intellectual pattern on the world of organic life.

Read pointed out that in *Education Through Art* he was reviving in the context of a contemporary world a theory of aesthetic education, neglected by modern educators, which Plato had presented long ago in *The Republic* and *The Laws*. Like Shelley's attitude to Plato, Read's was always ambivalent, and while in *Education Through Art*, written for a general audience, he talked of Plato somewhat uncritically, in *The Education of Free Men*, written in the following year for an anarchist press, he was careful to point out that Plato, like Hegel, was a totalitarian, and that the Platonic insights into education had to be considered on their own merits, apart from the way Plato might choose to manipulate them in the interests of an authoritarian political order. In *The Education of Free Men*, indeed, Read remarks that his "criticism of Plato . . . would charge him with abstracting from the natural process, making of it a measured pattern, and thereby destroying its quality of spontaneity, which in the human personality is the quality of spiritual freedom."

What Read did take from Plato was the seminal idea that "there exist in the physical universe, which we experience through our senses, certain rhythms, melodies and abstract proportions which when perceived convey to the open mind a sensation of pleasure." Such a sensation is *aesthetic*, and if we can associate it *unconsciously* with the sense of good, then we have a means to create in the lives of men a harmony and a proportion analogous to what exists in the natural world. Of course, as it appears in *Education Through Art*, this basic idea is embroidered and sustained by Read's adaptations of current anthropological and psychoanalytical theories, and it is strengthened by deep personal urges which I have discussed in *Herbert Read: The Source and the Stream*, and which there is no space to outline here. The important thing to consider now is the fact that, like Plato, Read sees his aesthetic education not in isolation but as an integral part of a philosophy of life, and also as part of a scenario of social change. In other words, it is relevant only insofar as it leads toward the free society envisioned by the anarchists.

Education Through Art is in fact, with the exception of Oscar Wilde's curious pamphlet, *The Soul of Man Under Socialism*, the first and certainly the main guide to the practical and political application of an aesthetic philosophy. But aestheticism is here transformed from an airy Yellow Nineties fantasy of art for art's sake into a utilitarian doctrine of art for life's sake, with some emphasis on its inevitable corollary, life for art's sake. We are presented with a method that will nurture the child in his spontaneous searchings after form, whether they take the visible shape of artifacts or are manifested less obviously in the disciplines of games; we are given a chart by which the passages of adolescence can be safely navigated, without the destruction of sensibility, by firmly maintaining the primacy of the aesthetic element, so that education through the intelligence never triumphs over the education through the senses which is necessary if men are to live in tune with the harmonies of the natural world.

Much in the code of conduct that ensues—the lack of constraint, the absence of moralism, and even the concepts of good and evil, the relation of collaboration between teacher and child, etc—is not in itself strikingly different from the practice of free schools established before *Education Through Art* was written, but it can only become fully effective, Read insists, if every hour of the day is dominated by the aesthetic impulses and it can only take form within a frame of intention that has "no other end than the basic ideals of a libertarian society; the further definition of that society becoming apparent as we progress from stage to stage, for the final stage of the educational system is not the grammar school, or the technical college, or the university, but the society itself."

Read looked to the future when there would be no barrier between work and education, which would naturally interflow. If *Education Through Art* is dedicated to the protection of the child's sensibility, the later essay which is the title piece to his *The Redemption of the Robot* deals with the salvaging of the adult whose sensibility has been damaged by a technological civilization; it can be done only by filling his life "with the motives and discipline of a creative civilization"; in other words, by boldly seizing upon the leisure produced by automation to create a new and popular art in rivalry with the machine.

To appreciate fully the consequences of such a revolution in education, we must turn to Read's more general works on anarchist theory and practice, which are highly concerned with the workings of a society that will combine the virtues of harmony and spontaneity, of form and expression. As for the immediate prospect in Read's eyes (or perhaps rather in the eyes of his hope), it is effectively summarized in what seems to me the salient paragraph of the final chapter of *Education Through Art*:

> The most a democratic philosopher can hope to do is to inspire a sufficient number of effective fellow citizens with his idealism—to persuade them of the truth of his ideas. The *effective* among his fellow citizens are those who are organized into corporations or associations for a functional purpose, and in our particular case, this would mean the general body of the teachers and administrators of the educational system. If the *thought* within such a syndicate could change, a change in practice would inevitably follow; and their practice would gradually react upon the whole body of the community. How quick and how effective such a gradual process can be, when it is an educational process, was clearly demonstrated by the authoritarian educational policies established in our time in Russia and Germany. Though a revolution may at first be guaranteed only by force, by means of education it can in ten years be founded on conviction, and in twenty years it will have become an unconscious tradition. It follows that a democratic method of education is the only guarantee of a democratic revolution: indeed, to introduce a democratic method of education is the only necessary revolution.

Here Read clearly presents "education through art" as a libertarian strategy aimed at revolutionary changes in society, which he claims to be better than the

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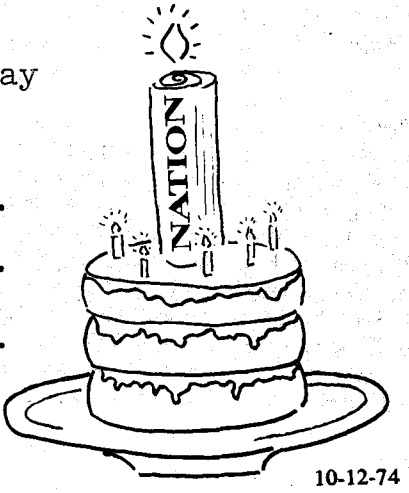

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outdated strategies of violent insurrection; it is to be carried out by those who, if they wish, can be society's most influential group of workers—the teachers. What he in fact proposes is a practical way of achieving that change of heart which has haunted the pacifist-moralist current of the libertarian tradition, running from Winstanley in the 17th century, through Godwin and Tolstoy, to Read and Gandhi in our own age. In fact, as we know, neither the twenty years that Read demanded for his revolution to be complete, nor the ten that would be needed for it to be assured, have been granted. Instead, having been taken up piecemeal by institutional educators, his ideas have suffered an ironic fate; they have been used in Mithridatic doses to prolong the life rather than to bring the end of that continuing educational system which, as William Godwin had earlier prophesied, so potently assures in all its changing methods the survival of a society authoritarian in both form and mind. □

The Schoolboy Regicides

DEATH OF A SCHOOLBOY. *By Hans Koning. Harcourt Brace Jovanovich. 187 pp. $6.95.*

ROBERT K. MORRIS

It would perhaps take more an act of imagination than a fact of history to conjure up the precise date on which our century of violence was ushered in. But one day in particular—June 28, 1914—has long been the front runner. It was then, in the town of Sarajevo, that a Bosnian Serb named Gavril Princip assassinated the heir to the throne of the Austro-Hungarian empire, the Archduke Franz Ferdinand, thereby precipitating the First World War, toppling dynasties, and changing the course of history. Causes, historians tell us, are of two kinds: fundamental and immediate; and it is by now a pretty solid theory that had there been no assassination at all, Austria-Hungary would eventually have found some other excuse to invade its satrapies in the Balkans and confront the Triple Entente. World War I had been ordained as far back as Napoleon. But it is around the immediate cause that Hans Koning has written a first-rate work of fiction whose major sins of historic omission (as I shall explain below) are totally absolved in the spellbinding re-creation of the fateful periods in Princip's life leading up to and away from the murder.

Like most Serbs who had exchanged 500 years of Turkish wars and occupation for the squeeze between the moneyed paws of Vienna's and Budapest's smug merchants, Princip grew up a fervent nationalist: loathing the Hapsburgs, lusting after freedom, but mostly fired by the idea of one Serbia, united by its common culture and language. Koning plunges into Princip's life in March 1914, when he is a student at the First High School in Belgrade. There, within walking distance of the Austro-Hungarian border, he and his classmates fall naturally into discussions of the fate of the southern Slavs, the many hundreds of years of foreign domination in Serbia, and of course social revolution, "chewing on those subjects like students in Paris on a new style of art."

Ill-digested but inspired, the discussions become debates; the casual meetings at cafés turn into conclaves; and the trio of friends, Princip, Nedeljiko Cabrinovic ("Cabri") and Trifko Grabez—all pure-minded, all ascetic, all serious and idealistic—forms a kind of brotherhood and cabal whose first act will be the murder of the Archduke on his inspection tour of the imperial army at Sarajevo, and whose last will be a triple suicide. Schooled in the use of grenades and handguns by a veteran of the Second Balkan War, spiritually inspired by dead heroes and dying intellectuals, and tacitly aided by assorted covert patriots along the way, the youths reach the city some three weeks before the Archduke's arrival. On the fatal Sunday, the grenade thrown by Cabri proves to be a dud; Trifko bolts; but Princip, owing to an odd traffic mix-up, gets off

Robert Morris' most recent book is a study of V.S. Naipaul, Paradoxes of Order, *to be published by the University of Missouri Press.*

TO THE LIGHTHOUSE

Whenever I try to imagine her,
That great gawky bird settling and then rising
Nervously, with all that elegance

It is much too painful, I turn my head away.

Goat. And the odor of goat. Chalk
Powders the children's faces.

Out of that nursery the fine hands
Crusted with rings, the fingers
Sorrowful as bone . . .

Reading the biography I found her footprints
And followed them until they were bombed out,
Swallowed up by memoirs, filled with water . . .

It was not she but I
Who turned my head away.

I could not bear it:
Out of the emptiness of the ocean

Over and over the huge Fin
That kept rising, the sleek razor's edge
Slicing across the horizon . . .

But she contained it all:
Obscene familiar,
Dread intimate of the mind

With scared, luminous eyes
She stared hard at it

And then built her books against it,
Those perilously leaning towers,

Dense slabs of light moving
Moth-like, over the waves of time.

Patricia Goedicke

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two shots—killing Franz Ferdinand and his morganatic wife and consort, Sophie of Hohenberg. Tried in Sarajevo six months later, and sentenced to twenty years' imprisonment (the maximum penalty allowed for a person under 20 at the time of these events), the conspirators are transferred to the Theresienstadt in Vienna. Four years later, all are dead, Gavril Princip of tuberculosis of the bone. Had he lived six months longer, he would have been liberated under the armistice.

To keep his novel from becoming a "documentary account," and to keep Princip from appearing a mere terrorist or fanatic, Koning must gain a kind of empathy for him. That he does—not by capitalizing on Princip's youth or patriotism or innocence but on the pathos of his confusion. Princip lives by a muddled philosophy that is partly existential, partly fatalistic. Born a Roman Catholic, he becomes an atheist because he realizes "that it makes no sense to force reasonableness on an unreasonable, silent universe." He sees life as the eternal struggle between the implacable logic and illogic of history and the desperation and courage of man—an absurdity wrapped in futility redeemed by a paradox:

> Then I thought that there was no reasoning possible that justified murder. Any such reasoning would imply one life to be worth more than another. It would negate love and our common—our common something or other. If I wanted to do away with this man, if I took that right upon myself, I would have to be ready to die with him. Only in accepting that sacrifice would the insoluble contradiction be solved. To kill for the love of my fellow man.
>
> . . . Murdering this man and then running was not justifiable. . . . We wanted more.
>
> We wanted his death as an example.
>
> We wanted to enact for Sarajevo and the world a mystery play, a justice play.

Koning realizes that those who wish to rationalize violence can always justify both means and ends; Princip quotes John Locke on tyrants, though only a fanatic—as Princip actually was—could possibly have cast Franz Ferdinand in the role of tyrant. (Indeed, so far as he could have been, the Archduke was a temporizing element in the Hapsburg bureaucracy, exacerbating the strained relationship with his father, the Emperor Franz Josef, by pressing for a "triadic" reorganization of the monarchy, with the Slavs as a third force beside the Austrians and Hungarians.) But the author is far less interested in validating the implications of the paradox—to kill for brotherly love—than in exploring the values setting the paradox going to begin with, and in part vindicating the principal actor in this tragic "morality play." It is here, however, in writing a novel *about* history, that Koning has decided to give up any pretense *to* history, and has given rein to his considerable art and imagination.

"The truth of this novel," Koning tells us, "is the truth of its subject, Gavril Princip." But if the truth—or whatever rough grain lies under the unvarnished facts of history—must be told, Koning's existential hero is a thoroughgoing fictional creation. Item: Princip was early trained in terrorism by the Serbian secret society known as the Black Hand. Item: the society planned the assassination and armed Princip and the others. Item: historians have shown that the Serbian Premier, Nikola Pasic, knew what was go-

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—Fredrick Wertham, M.D.,
(in the *New York Law Journal*
July 19, 1974)

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ing on and tried indirectly to warn the Austrian authorities of the plot.

None of these patently significant and important items finds its way into *Death of a Schoolboy*; none of them perhaps should. A novelist's aesthetic, and of course art, are probably all that is required to sanction the imaginative reconstruction of a "real life" character, even one as fettered to historic cause as Princip. What I am questioning here is not Koning's studied omissions from history, nor his fictionalized portrait of Princip, but his choice of Princip to "illuminate (in the phrase of the dust cover) . . . the reasons why those who seek to overthrow oppressive and unjust governments choose violent means."

Princip, from what I have read elsewhere, as terrorist, nationalist, tool, seems the most unlikely of persons to provide such illumination. Purely and simply, he wanted to destroy Austro-Hungarian rule in the Balkans, and unite the Southern Slavs into a federal nation, and he was persuaded that assassinating a Hapsburg could be the satisfactory first step. Bred to violence, Princip naturally chose violence. Of this Koning should have made us at least aware. Though a novelist need not be enslaved by history, I do imagine he should give a respectful nod to the staying power of its shackles. Neglecting to tell us that Princip was bred a fanatic, and convincing us that he died a quasi-martyr, seems to strike a double blow against history *and* truth. Had Koning forewarned us that the "truth" of his novel was to be the novelist's own quest after the reasons why people choose violence to overthrow governments, I think he would have come closer to hinting at the kind of book he has written.

TRANSIENT

I know all synonyms for this, the second
definition: decaying with time.
Everything that I have almost
held. Transient. Come here, you
say, holding out your hand
or pride. I say, No Thanks,
having read your palm in the brief
light before the world blinks
out. Later I think, It's
always been like this; that stupid
dog I loved at six, the impossible
musician at sixteen. I'd blink
and then return to absence.

Now, at 38, I wonder what is adequate
to me. Absence is my guide
and what I love is loss. I am a silver
wire over which a bias current
runs. Sender and receiver.
The voice on the other end
behind the mirror.

Adrianne Marcus

For it is in the inward journey—divorced from the stream of history—that *Death of a Schoolboy* is at its finest. The last 50 pages or so, those concerned with Princip's four years in prison, are among the best in the book, and, I would venture to say, among the best pages of prison literature anywhere. They catch masterfully Princip's initial boredom, sense of oppression and physical decline, and then that stubborn will to survive that is far and away more courageous and admirable than the earthshaking murder he committed. It is here that Koning touches the "truth": not of his "subject" but of the human condition. □

What Makes Drama Dramatic

CONTRADICTORY CHARACTERS. *By Albert Bermel. E.P. Dutton & Co. 298 pp. Paper $4.95.*

FOSTER HIRSCH

In his vigorous re-examination of the modern theatre, Albert Bermel challenges received notions about how to read plays. Combatively and persuasively, Bermel tells us what a play is by establishing, first of all, what it is not. He insists that a drama is not a philosophical statement. Nor is it useful chiefly as a guide to the playwright's psyche. It is not a political pamphlet or a propaganda sheet. The genuine man of the theatre doesn't write plays in order to indoctrinate his audience, and the genuine drama critic doesn't search through plays for their ideological content.

The *life* of the drama, Bermel contends, is not in its ideas, its paraphrasable content but in the conflicts that sustain its dramatic action. We are not to look for a great play's center in its detachable "problem" or its explicit social comment, but in its imperfect, struggling, contradictory characters. What makes drama dramatic is the separation of characters from their environment, from one another, and from themselves. In Bermel's stimulating discussion, the playwright then is not so much a thinker, a polemicist, as he is a kind of amateur psychiatrist who presents his complicated people for our interest and, possibly, for our instruction.

The great plays aren't simple, and Bermel resists therefore the popular critical preoccupation with labeling particular characters as *raisonneurs*. Finding level-headed characters who speak for the author and who glibly underline a play's theme is a disservice to the great plays; Bermel insists that in the work of writers like Ibsen, Strindberg, Chekhov, Pirandello, Shaw and Brecht, it is never safe to identify a character as a direct representative of the author: Ibsen and his fellows make us work harder than that.

Choosing the divided character as his center of critical interest, Bermel sets out to re-evaluate the protagonists of the modern repertory. He is attracted most to the character in whom strength and weakness, good and evil, are deeply interfused. The character shadowed by self-betrayal and self-doubt is the most usable actor in a play: the radical figure of Bermel's reading of modern drama is Brecht's Good Woman of Setzuan. Shen Te becomes Shui Ta—the character who creates a strong persona, an inverse self, to complete her meek self, is the archetypal figure of the modern mode.

Freeing characters from simplistic hero-villain designations, Bermel discovers new shadings and sources of conflict in familiar plays. Ibsen's Mrs. Alving in *Ghosts* is her own worst enemy: "Her fate is—being herself." Bermel is fascinated by her because she is so coiled and complex, because her creator presents her "not openly but insidiously, by means of stagecraft that did not let his audiences apprehend [her] in a rational form." In Giraudoux's *Tiger at the Gates*, Hector, like Mrs. Alving, is his own tormentor. A statesman committed to peace but drawn inescapably to war, he is himself the tiger at the gates.

Bermel uncovers new potential troublemakers as well as victims. Countering conventional readings of Strindberg's *The Father*, he suggests that it is the Captain rather than his usually maligned wife who is the destructive element. He argues that Mary, in *Long Day's Journey into Night*, is more responsible than her husband or her sons for the tragic stalemate that is the Tyrone family life. He asks us to look again at Natasha in *The Three Sisters*, this time attempting to see her from her own point of view; perhaps she's not the Black Witch of the North as she's usually played.

Hunting out contradictory characters, the critic hits on fresh concepts of stage

Foster Hirsch has written books on Tennessee Williams, George Kelly, Elizabeth Taylor and Edward G. Robinson, and is currently at work on a study of the epic film.

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production. *Krapp's Last Tape* is not a sentimental reverie as it's sometimes played, but a fierce, embittered contest between Krapp's older and younger selves. Bermel reminds us that *Happy Days* is not a soliloquy in which Winnie woos the audience but a monologue by a neglected wife directed at a distracted husband.

Bermel's calculated attempts to challenge orthodox readings are sometimes overingenious, as in his tricky, knotty interpretation of *Six Characters in Search of an Author*. Occasionally he pushes too hard for his "on the other hand" notions. But these are refreshing essays. Imposing a distinctive sensibility on the plays, Bermel has made them his own, and yet, writing in a brisk style that mixes high and low diction, that introduces the street into the library, Bermel is always accessible. That style, like his canny interpretations, is a challenge to safe academic criticism.

Bermel's central conviction is that good playwrights engage us and entertain us at the same time that they make us work. Bermel, a good critic, does the same. □

MUSIC

RICHARD DYER

September 13 was the 100th anniversary of the birth of Arnold Schoenberg. Like those of all great artists, his was a life of allegory, and no one can fail to respond to the dilemmas of a man who orchestrated operettas and taught undergraduates in order to live and do his own work; to the resonances of the story that moves from the picture of the young composer, fired by the bank where he was employed, telling his family, "I'm so happy I've lost my job!"; to the deathbed on which the great man breathed his last word, "*Harmonie*." His most important premières were beset by the ugliest kind of public scandal and by the ugliest kind of critical misunderstanding and vilification; his largest work, the opera *Moses und Aron*, was never completed because the Guggenheim Foundation thought it had better uses for its funds; Schoenberg was forced into retirement at 70 with a pension of $38 a month from the university system of California. He was a profound musical philosopher who excelled at table tennis and invented a new chessboard with a hundred squares and additional men because he found the classical game insufficient.

But an incident in Schoenberg's early manhood, to which he often returned in his writing and in his conversation, points to the central allegorical drama of his life: "Once, in the army, I was asked if I was really the composer Arnold Schoenberg. 'Somebody had to be,' I said, 'and nobody else wanted to, so I took it on myself.'" Schoenberg's letters and essays revolve around this drama; among the writings of composers, they stand with those of Berlioz in their inspiriting display of high intelligence and strong opinion and single-minded devotion to art. Reading them, one can only feel what Schoenberg said of his mentor Alexander von Zemlinsky—here is "a man whose behavior I try to imagine when I need advice."

Schoenberg's music, in its span from the String Sextet "Verklärte Nacht," the earliest familiar work, to the String Trio, the Violin Fantasy and those last choruses, presents its own life of allegory, and it is the continuing and growing accessibility of that music and my own movement toward it that makes the study of his life so resonant to me. Of course the music is not yet popular, and it is unlikely that it ever will be. Although in Boston-Cambridge, one is more likely to hear repeated performances of *Pierrot Lunaire* than any of the symphonies of Tchaikovsky, the rug concert that Pierre Boulez devoted to the music of Schoenberg last spring was the only one where there was room to be had. No one is afraid of Virginia Woolf any more, and developments in the history of literature and of art that are in some ways analogous to what Schoenberg did in music are now part of the mainstream of culture; people are still afraid of Schoenberg.

And there is some reason to be. Years ago, when I first read it, Paul Rosenfeld's characterization of Schoenberg in an essay in *Musical Portraits* became one of my favorite passages in music criticism:

> Arnold Schoenberg of Vienna is the great troubling presence of modern music. His vast sallow skull lowers over it like a sort of North Cape. For with him, with the famous cruel five orchestral and nine piano pieces, we seem to be entering the arctic zone of musical art. None of the old beacons, none of the old stars, can guide us longer in these frozen wastes. Strange, menacing forms surround us, and the light is bleak and chill and faint.

I still love the writing in that passage, though there is no truth in it—or rather, the truth is only that of the historical moment at which Rosenfeld wrote, and indeed, of the historical moment at which Schoenberg wrote, for he himself felt the strangeness and menace of the thing it was he inevitably had to do. But Joseph Silverstein's confident performance of the Schoenberg Violin Concerto, with Seiji Ozawa and the Boston Symphony Orchestra, as part of the Schoenberg observance of the last weekend at Tanglewood this summer, and the confident listening that it inspired, really suggested that the "Schoenberg Problem" can go away now. Silverstein was recalled to the stage five times, and I hope he won't mind my thinking the applause was as much for the concerto as for his magisterial performance of it: it was one of those rare occasions when performance and piece were one.

The concerto, which was begun in 1934 and finished in 1936, is one of the most elaborate examples of Schoenberg's "method of composing with twelve tones related only to each other"; it now also seems one of the most eloquent. The success of Silverstein, Ozawa, and the orchestra owes much to skill: the concerto is reputedly the most difficult yet written for the violin, and the composer himself once jocularly remarked that it would require six fingers on the player's left hand. Silverstein, Ozawa and the orchestra were all alert to the special dimensions and problems of the piece, to Schoenberg's characteristic rapidity of in-

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cident, always unexpected yet always logical, and responsive to the complex demands of ensemble—a matter not only of rhythmic togetherness, but of more than ordinarily careful attention to intonation, harmony, form and rhythm, the interplay among which gives the piece its color, a color that is always in the service of idea. ("Colors of any kind," Schoenberg wrote about his Variations for Organ, Op. 40, "are there only to make the idea clear—the motive and thematic idea, and perhaps its expressiveness and character.")

But the success of the performance also owes much to the *attitude* of these players, who refused to think of the piece as forbidding—so we who listened couldn't either. At a panel for the assembled Music Critics Association before the performance, Silverstein spoke of playing the Schoenberg with the same musical feeling he summons when he plays the Wieniawski concerto (!), and a member of the orchestra, Eugene Lehner, a violinist who enjoyed a long personal association with Schoenberg, said that knowing all about 12-tone technique is no more essential to an understanding of Schoenberg's music than knowing all about the C-major scale is essential to an understanding of the "Dissonant" Quartet of Mozart. And in these attitudes, once again, they did no more than echo Schoenberg himself, the man who once said that he longed for nothing more intensely "than to be taken for a better sort of Tchaikovsky," and who wrote that he did "not attach so much importance to being a musical bogeyman as to being a natural continuer of properly understood good old tradition." "Properly understood" are probably the operative words there, for Schoenberg's analyses of earlier music, and his exercises in recomposition like the "Monn" Concerto for Cello, show the same intense powers of concentration and independence of opinion that he exhibits in his music, and that he demands of his performers and of his listeners.

The final event of the Tanglewood weekend was a performance of the rarely heard early work *Gurrelieder* (begun in 1900 and completely sketched the following year, though the orchestration was not completed until 1911). The work is rarely performed because of the cost of its size—there were about 500 musicians on the enlarged stage at the Tanglewood shed, the orchestra augmented by young players from the school at the Berkshire Music Center, five vocal soloists and the speaker, and the superb Tanglewood Festival Chorus prepared by John Oliver.

The piece is customarily spoken of as the ultimate development of those characteristics we label "romantic"—the thematic obsessions with passionate love, death and transfiguration, the fascination with the mode of fantasy, and the emphasis on sheer size that we associate with the works of Wagner, Strauss and Mahler. But listening to the piece so soon after the Violin Concerto, I was astonished to find myself noting so many of the same characteristics: in terms of resource and method, Schoenberg does have "periods," but the music is also all of a piece throughout. He does throw the whole works at you in the immense final chorus that depicts transfiguration and hope in the rising of the sun and in the cycles of nature. But most of the way through I was struck, as I had been in the Violin Concerto, by the delicacy of the work, particularly in Tove's love songs, the song of Klaus the Fool of Farum, and the *Sprechstimme* melodrama of "the summer wind's wild hunt." Schoenberg needed his vast resources in order to select from them the widest possible range of subtle, even intimate effect; the complexity and profundity of sensibility in *Gurrelieder*, as in the Violin Concerto, are communicated through transparency of texture.

There were some horrible moments when the amplifying system someone had decided was needed for the hunting chorus ran quite amok, but the performance was otherwise in every way triumphant. That Ozawa conducted from memory was only a visual sign of his audible mastery of everything in the score, and the solo singers were uniformly splendid. James McCracken sang with all of his usual intelligent dramatic application and with considerably more vocal plausibility than he usually shows; Lili Chookasian narrated what the Wood-Dove saw with considerable emotional and vocal power, while David Arnold and Jerry Jennings excelled in the smaller singing parts. George London spoke the narration like the great actor he is, and for one brief moment he crossed the border from speech into song and the timbre of that wonderfully expressive voice, stilled so long by a physical impediment, movingly reminded us of the great singer he was. And Phyllis Curtin, again appearing as a replacement for a lesser artist, had another special moment in her career in her singing of Tove's music: her delivery of the third song, especially the final lines, *"Denn all meine Rosen küsst ich zu Tod, / Dieweil ich deiner gedacht,"* her timbre twining with those of the solo violin and oboe, showed her at a summit of verbal and vocal art.

The applause at the end was sustained beyond any I have ever heard, and my mind turned to one of Schoenberg's memorable verbal formulations, in which he wrote of a composer's need to have "an imagination which has survived a tremendous number of adventures." Sharing in Schoenberg's imagination and in those adventures it survived is one of the high privileges of anyone who can listen to music. □

THEATRE

HAROLD CLURMAN

The first two productions of the Broadway season are resounding hits: both are revivals. One is *Gypsy*, the Arthur Laurents, Jule Styne, Stephen Sondheim musical suggested by the memoirs of Gypsy Rose Lee, stripteaser extraordinary (Winter Garden); the second is Tennessee Williams' *Cat on a Hot Tin Roof* (ANTA Theatre).

The present *Gypsy* was tremendously successful in London for two reasons: the English rarely produce a satisfying musical of their own and *Gypsy* is one of our best. Its basic merit is Arthur Laurents' "book." It has credible characters, honest writing, truthful atmosphere and background material and its point is intelligent. (My favorite line is a veritable maxim: "In show business everybody listens to anybody. . . .") All the show's ingredients are well knit. Stephen Sondheim's lyrics are apt as well as adept and Jule Styne's score, I am assured, is especially good, though it seemed brasher to me on this occasion than it did previously. But that may be due to Styne's talent to compose with his star's *forte* in mind, and his star in 1959 was Ethel Merman.

The story is centered on Rose, Louise (later "Gypsy") and June's formidable mother. The part is now played by Angela Lansbury. She is an excellent actress, graceful in movement, sympathetic in quality, altogether winning in everything she does. She can characterize. But Rose is not a part that lends itself to characterization: Rose must *be*. Miss Lansbury's being is too nice to make for an altogether authentic Rose. The woman is a blitz of bad taste, a creature whose vulgarity is epic—both horrendous and wonderful. She certainly has a "heart," her drive is no doubt bent on making headliners of her daughters—as a substitute for or a projection of her frustrated desire to win recognition for her own stupendous self. In those moments when Miss Lansbury relaxes sufficiently to con-

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vey the hurt or the warmth in Rose we are convinced and even touched by her, but it is another person. The woman's virtues must be embodied in a manner still fleshed in a grossness so volcanic that it achieves something like heroic stature, very much as did the Great White Way of the 1920s: a dazzling eruption of electric energy mounting to a howling lyricism—the wild life of the untamed city. Miss Lansbury is not Rose, because her nature does not permit her to be. But granted that, her theatrical skill and valiance compensate to a most laudable extent for what is missing in her personal equipment for the role. She deserved the applause with which she was greeted at the curtain calls on opening night, to which she responded with a countenance more alive and glowing than at any other time during the performance.

Arthur Laurents' able staging tends to more "realism" than did Jerome Robbins' direction in the original production, just as Robert Randolph's settings and lighting have far less brilliance and lavishness than Jo Mielziner's.

Zan Charisse endows Gypsy Rose with a pristine cleanness. (The "real" Gypsy Rose Lee, by the way, quite apart from her gorgeous physique, was a truly grand woman whose posture, glance, deportment were marked by an uncondescending superiority to her audience.) Rex Robbins as Rose's devoted manager gives an honorably modest performance in the vein of the production as a whole. Bonnie Langford as Baby June is as weirdly funny in her vaudeville turn as she is fantastic in her proficiency. And Denny Dillon, a short, stout girl with only a few lines to speak, glimmers very pleasantly in the chorus.

Cat on a Hot Tin Roof possesses a number of striking assets. It has much of Williams' stage canniness and power, euphonious writing of American tang and humor, three well-drawn characters made arresting by the author's concern with them.

Still, though I have read the play twice in both Williams' original third act version and the one he revised for the 1955 production, and have also seen it up till now in three different performances, *Cat on a Hot Tin Roof* has never satisfied me. I was puzzled as to the reason.

Seeing the play again at the ANTA Theatre with a generally expert cast under Michael Kahn's knowing direction, I began to discern what had troubled me about the play from the first. What was it all about? Several answers suggest themselves. To begin with, Williams seemed intent on tearing the mask of moral fraud and lying (mendacity, he calls it) from the face of middle-class "respectability." Many things worth saying are voiced in the course of the play, though most of them are stated in passing or for purposes of character delineation. They assert the imperative of clinging to life—the impulse to survival, the need for love, the nullity of existence without genuine connection among fellow human beings, the dangers involved in the refusal to stand up to the fact of mortality.

But though the basis on which the play's dramatic structure rests is young Brick's rejection of intercourse with his extremely attractive and adoring wife Maggie—as a consequence of which he has become an alcoholic and she, tense as "a cat on a hot tin roof"—the play remains centrally ambiguous. The evidence for greater thematic clarity is present but never clinched. For all his determination to be courageously frank, Williams beclouds the issue—which is not simply sex but homosexuality.

What is Brick's complaint against Maggie? That she suspected his intimate friendship with his football pal Skipper was something more than friendship; and that she had had a tentative affair with him. Skipper's ineffectuality in this one contact with her made him doubt himself, so that he took to drink, all of which led Brick to ditch Skipper in his distress. Maggie turned what was a pure and noble attachment between the friends into something dirty—though she herself makes no such accusation. She had been entirely fascinated by Brick's lovemaking with her because, she remarks, it was so "detached."

What wounds Brick even more is that his father, Big Daddy, infers that Brick and Skipper's relationship may not have been altogether "normal." Though, if true, this would not shock or alienate the old man. Brick screams "Why can't exceptional friendship, *real*, *real*, deep, deep friendship between two men be respected as something clean and decent without being thought of as . . ." and here Big Daddy interjects "It can; it is . . ." while Brick completes his sentence with the detested word "fairies."

In the published book Williams adds a parenthetical note to this exchange: "In this utterance of the word, we gauge the wide and profound reach of the conventional mores he got from the world that crowned him with early laurels." But the sense of this observation is barely integrated within the play's active context—except that Maggie calls him a "hard-assed puritan." It is Brick rather than Maggie or Big Daddy who regards homosexuality with disgust and is therefore subject to his own fear and prejudice. What happens is that we are either left in the dark or are asked to assume that Brick is justified in his revulsion at the thought of being considered queer. There is evasion and even a remainder of social hypocrisy in this, and it damages the play. After all, Williams believes (or does he not?) that "sex" between men may be as pure as any other manifestation of love.

Williams' original third act—in which Big Daddy does not appear—lets the play hang in the air except for the tying up of some loose ends. There still remains an overlong scene demonstrating family greed: Brick's older brother and sister-in-law trying to take charge of the rich estate after Big Daddy's imminent death. The ending now, pretty much as it was in 1955, suggests that Maggie's lie about being pregnant by Brick makes Big Daddy happy and wins Brick's admiration

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so that he may consent to turn her lie into a truth. But this compounds the play's confusion. Still, it hardly matters. The play is virtually complete after the second act.

Williams writes about women with a sympathy and an understanding unusual among our playwrights. Most of his women, however, are victims. Maggie fights being one. Her early poverty has made her somewhat hard, but also intelligent and practical. She loves her husband and wants to maintain her marriage, wants a child from him and knows that for the rest of her life she will probably have to care for her more or less "broken" man—or, she may believe him sexually redeemable. There is life in her; she has the will to endure.

Big Daddy has human largeness, a masterly ruggedness wrought from years of hard work and a no-nonsense mind. He has seen the world both in the sorrow and humiliation of the poor and in the corruption of wealth. Big Mama, silly, conventional, loud-mouthed, is still sound in her earthiness.

Elizabeth Ashley's Maggie is sharply limned, scrupulously worked out, somewhat tight in emotional resonance but by no means dry; the control and limited range of feeling are true to the character and to the play's environment. Kate Reid's Big Mama is very fine: she communicates the body and blood of the woman as well as the absurdity. Fred Gwynne plays Big Daddy for broad effect with tart scorn and bluster often quite amusing. It is certainly an allowable interpretation, but I would prefer greater inwardness of thought and sentiment, a still humane grimness, a deeper sense of experience. We should be less aware of the man's cynicism and more conscious of his wisdom.

Brick is the weakest role in the roster for reasons inherent in the play's basic defect. The character, for all his occasional violence, seems only penciled in. Keir Dullea, whom I have seen before in several appealing performances, strikes me in this instance as being miscast. I never for a moment believed that he had ever been an athlete of any sort. His disgust with mendacity struck me not as virile protest but as hysterical whining. □

THE LAST HOUR
(Translated by Michael Impey and Brian Swann)

In the sky
Iron and bronze hour strikes.
In a star
Velvet hour struck.
Hour of felt strikes
In citadel tower.
In hour of wool
Old time is heard
And paper hour
Tears. Near princely epitaph
Hour of dust strikes.

Last night, sister,
The hour never struck.

Tudor Arghezi

FILMS / Robert Hatch

I seem to be a minority of one, and am therefore prudent enough to acknowledge that I may be entirely wrong, but I cannot look on *Amarcord* as anything but further evidence that Federico Fellini runs a lively risk of becoming the cinema's most eminent bore. In a worldly sense, Fellini has been eminent for some time; therefore he can command the resources to do what he wants. And increasingly with the years what he appears to want is to take roguish liberties with his memories.

This preoccupation is of long standing and earlier in his career it gave power and individuality to Fellini's work. It was first explicit in *8½*, an episodic, occasionally surreal, sometimes cutely contrived, but nevertheless deeply felt and eloquently expressed memoir on the trials and temptations of a film director. Earlier still, there had been *I Vitelloni* (The Little Calves), that unblinking but compassionate examination of young manhood in an Adriatic town, probably Fellini's native Rimini.

But as Fellini's fame grew, it seems to me, he began less to select creatively from what he had seen and felt and more to dump his reminiscences on us indiscriminately, in an assertion of ego—*Fellini's Roma,* if you were less than enchanted by that film, could seem a disconcerting title. Further, I am finding it increasingly difficult to disregard Fellini's apparent disposition to exploit people, either in the interest of his rather brutal sense of humor, or from an assumption of superiority. Sections of *The Clowns,* in which the director himself appears as a kind of master builder, made me squirm for that reason.

Now in *Amarcord* (I Remember) Fellini returns to a town very much like that of *I Vitelloni* to string together a series of anecdotes presumed to have occurred between one spring and the next in the 1930s. I have no doubt that Fellini does recall these fragments vividly enough for them to suggest camera opportunities. But he is more aware of the camera, and of those palpable sets, props and weather machines that so greatly amuse him, than of real people in situations of consequence. The events occur, but nothing happens; there is no carry-over from incident to incident, no development beyond the initial impression. His men and women, though he may once have known them, are now stock figures of small-town life, and one and all he varnishes them with a superficial caricature I found estranging. Human beings should be worth more than this externalized puppetry—particularly human beings with whom one is supposed to have grown up.

It may be objected here that the adolescent boy, Titta (Bruno Zanin) is a stand-in for Fellini, and that the images of his family and the town familiars are what they would appear to a hyperactive, heedless boy of 16. But I can't accept that—in the first place, Titta would have had to be a very heedless boy indeed, and in any case Fellini is no longer that boy and opens himself to the charge of callousness by pretending to the cruelty of laughing innocence.

I would not want to leave it that Fellini never goes deeper—there are indeed flashes of honest feeling, particularly with respect to Titta's father (Armando Brancia), when he is not beating the walls, leaping on his hat and generally playing the zany. But even these openings into fellowship are tainted with stock sentiment, and in general if I were an Italian I would not be amused by Fellini's consistent portrayal of Italians as braggards, gluttons and sexually frustrated buffoons.

Again and again, situations are worked into place for no reason I can detect except that they promise to film well; frequently they are repeated for no reason except that it turned out they did film well; and too often they are situations that other directors have found gratifying to the camera. It puzzles me what has happened to the Fellini who made *La Strada, The White Sheik, Nights of Cabiria, La Dolce Vita*—films that were dramatic, hilarious, astonishing, inventive, tender, outrageous and roaring with personality. With *Amarcord* I feel that a dotard (Fellini is a bit my junior) has clawed onto my elbow in order to gabble a lot of unrelated local yarns to the accompanying cackle of malicious laughter. Since I have accused Fellini of arrogance and since others see fit to cheer him along his present course, I repeat that I know I may be wrong. But I've studied that hypothesis, and at the moment it doesn't speak to me. □

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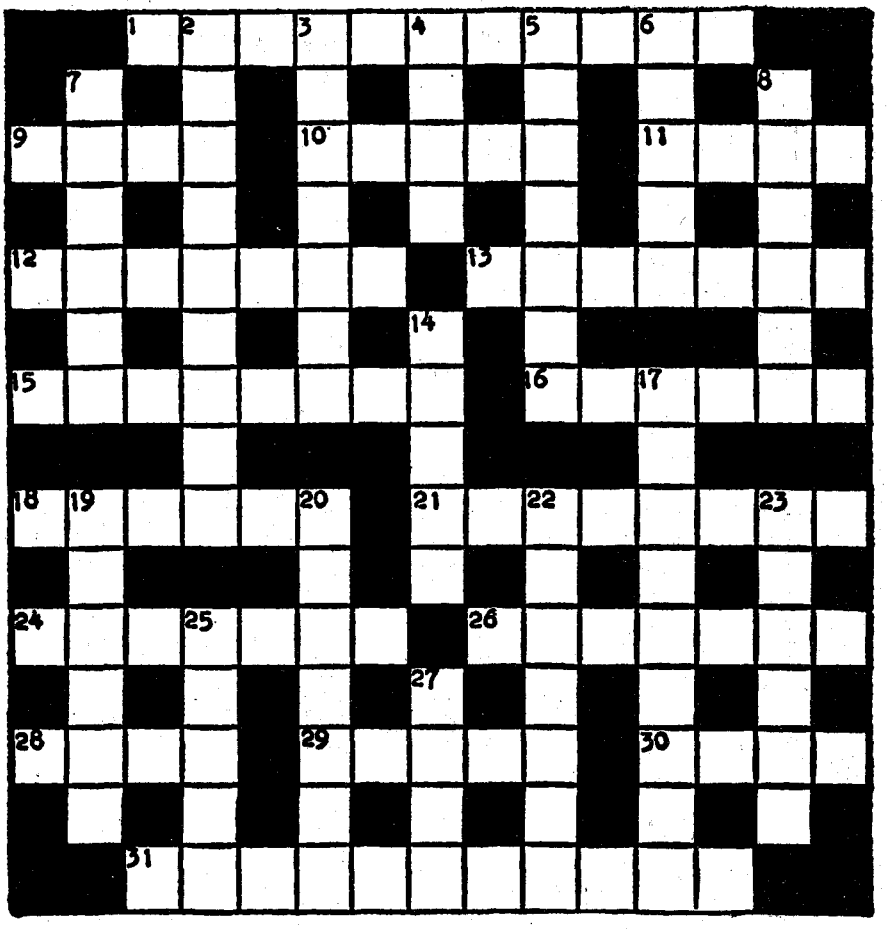
Crossword Puzzle No. 1555

FRANK W. LEWIS



ACROSS

1 Wells Fargo scare? Part might be forgotten with it. (5,6)
9, 10, 24 and 14 Turned away from the Art Directors? That's where you should be headed after preliminary failure! (4,2,3,7-5)
11 A far from positive answer going and coming at lunchtime, perhaps. (4)
12 One responsible for a plowed-up acre on the mountain? (7)
13 See 3 down
15 An insinuation implying what is not out gets undone, in a way. (8)
16 Made it, perhaps, with a label on. (6)
18 By the sound of it, change tracks, perhaps. (6)
21 Diamond robberies, so-called, might start them, but would be plants. (8)
24 See 9 across
26 One share inside by such dual agreement? (7)
28 and 30 Part of the building supplies cereal desserts. (8)
29 One of the young ladies circle might be responsible for quite a catch. (5)
30 See 28 across
31 If you have a bad seat, a so-called bug has some indefinite consequence for the country. (4,7)

DOWN

2, 8 and 23 down Fill in for the crapshooter, perhaps, though things were obviously worse if you did. (4,1,4,3,3,6)
3 and 13 across Do you descend to reality if you do? (3,4,2,5)
4 Is appropriate in certain types of seizure. (4)
5 When given a blow, it might easily slip. (7)
6 How one might color a layer with some article that turns up. (5)
7 Bleak, but noble-sounding. (6)
8 See 2 down
14 See 9 across
17 One step in the series shows that college leaving perhaps loses its dated upper-class association. (9)
19 Evidently the auto is over-weight for shipping. (6)
20 Tell all, and allow an old garment to make it. (7)
22 Right dress in the army? (7)
23 See 2 down
25 Stick to a girl, if you want her name. (5)
27 The sceptered type went along with a royal throne of kings in Richard II. (4)

SOLUTION TO PUZZLE NO. 1554

ACROSS: 1, Tom, Dick and Harry; 9 Roomers; 10 Bandeau; 11 Upsets; 12 Idee fixe; 14 Test flight; 15 Ogle; 17 Eats; 19 Isomorphic; 22 Overlaps; 23 Unborn; 25 Unburnt; 26 Damsite; 27 Exercise control. DOWN: 1 Turn up the volume; 2 Maoists; 3 Identify; 4 Kiss; 5 Nobody home; 6 Handel; 7 Reeling; 8 You never can tell; 13 Dissipates; 16 Front man; 18 Tremble; 20 Hoosier; 21 Cleric; 24 Odic.

RECORDS AND TAPES

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Ramsey Clark challenges the old politics.

When I announced a ceiling of $100 on contributions to my campaign, cynics said it wouldn't work.

The primary which ended Tuesday with my nomination for the U. S. Senate proved the cynics wrong. More than 11,500 people (a record in our state) contributed over $230,000. The New York Times called our upset victory ". . . the most notable achievement in this Watergate-shadowed primary . . ." and added: "The voter response to Mr. Clark's principled decision not to accept campaign contributions in excess of $100 and to his frank, if sometimes controversial, discussion of issues challenges the conventional wisdom of traditional politicians in both parties."

Now I pledge anew that I will not accept any contribution from any person or organization in excess of $100 between the primary and the general election. I do so because I believe deeply in the need to liberate American politics and government from big money and special interests.

Only in that way can I truly represent you in the United States Senate. It is no trick to represent the oil industry, the real estate lobby, the banks; but I want to represent you. I can give you equal representation, but only with your help. Only if you are willing to pay for this campaign.

Those of you who have followed my career know that the $100 limit is consistent with my long-standing commitment to equality—equal representation, equal justice, an equal chance to affect our common destiny. Sound radical? Then so is the Declaration of Independence and the United States Constitution, which tell us that all men are created equal and command that they be treated equally.

We saw last week what can happen when the principle of equality is violated. President Ford's grant of a full pardon to Richard Nixon for any and all crimes he may have committed while President is a flagrant violation of the Spirit of the Constitution.

It is in the extreme case that one must try hardest to be absolutely equal. I have always believed that justice must be tempered with mercy but justice and mercy must be equally administered to all. The pardon of Richard M. Nixon was yet another example of the powerful getting favored treatment.

The rich and the powerful will get favored treatment only so long as you and I don't do anything about it. My campaign is an attempt to do something about it—to challenge the old politics, to say no to privilege.

The Democrats of New York have now chosen me to run against a consummate practitioner of the old politics—Senator Jacob Javits. He calls President Ford's pardon of Richard Nixon a matter "between the President and his conscience." I call it *wrong*. I call it a violation of the basic principle of our government, which is equal justice under law. We can't have one standard of justice for the rich and powerful and another for the weak and the poor.

When I urged Senator Javits to join me in my self-imposed $100 limit, he observed "What's good for Mr. Clark is not necessarily what's good for me." The point of course is not what's good for Mr. Clark or what's good for Senator Javits but what's good for the people.

If we are to have integrity in American politics and American government we must turn our backs on the old politics and give democracy a chance. There is only one way you can have an equal voice in your democracy—if you care enough to work and contribute . That is the only way my campaign can succeed and it is the only way any democratic campaign should succeed. Senator Javits has already raised more than one-half million dollars, much of it is from big business.

The same "experts" who assured us we couldn't win the primary, now say we cannot win the election.

They say it can't be done. I say we are doing it. But we can only do it if you give us your help now. I seek an average contribution of $10. If you will give now, $1, $5, $10, $25—up to $100, you and I—by adhering to the principle of equality—can begin to free government from the control of wealth and special interests. If there was ever a time for People Money to challenge Big Money the time is now. There are only seven weeks 'til election day. Will you lend a hand?

Ramsey Clark

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